

AGENDA FOR REGULAR MEETING

KERRVILLE CITY COUNCIL

TUESDAY, OCTOBER 14, 2014, 6:00 P.M.

KERRVILLE CITY HALL COUNCIL CHAMBERS

701 MAIN STREET, KERRVILLE, TEXAS

KERRVILLE CITY COUNCIL AGENDA
REGULAR MEETING, TUESDAY, OCTOBER 14, 2014, 6:00 P.M.
CITY HALL COUNCIL CHAMBERS
701 MAIN STREET, KERRVILLE, TEXAS

CALL TO ORDER

INVOCATION: by Brett Coe, Senior Minister at First Christian Church.

PLEDGE OF ALLEGIANCE TO THE FLAG

Those in attendance may stand if they wish.

1. VISITORS/CITIZENS FORUM:

Any citizen with business not scheduled on the agenda may speak to the City Council. Prior to speaking, each speaker must fill out the speaker request form and give it to the City Secretary. City Council may not discuss or take any action on an item but may place the issue on a future agenda. The number of speakers will be limited to the first ten speakers and each speaker is limited to four minutes.

2. PROCLAMATION:

2A. Proclamation recognizing Clarabelle Snodgrass on the occasion of her 101st birthday. (Mayor Pratt)

3. CONSENT AGENDA:

These items are considered routine and can be approved in one motion unless a councilmember asks for separate consideration of an item. It is recommended that City council approve the following items which will grant the mayor or City manager the authority to take all actions necessary for each approval:

3A. Minutes of the City Council regular meetings held September 9 and September 23, 2014. (staff)

3B. Approval of bid and authorization to purchase new vehicles for the Police Department in an amount not to exceed \$119,387. (staff)

3C. Agreement for the City of Kerrville to participate in the Alamo Area Fire Chiefs' Association Employment Testing Cooperative. (staff)

The facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this event. Please contact the City Secretary's Office at 830-258-1117 for further information.

I do hereby certify that this notice of meeting was posted on the bulletin board at the City hall of the City of Kerrville, Texas, and said notice was posted on the following date and time, October 10, 2014 at 2:00 p.m. and remained posted continuously for at least 72 hours preceding the scheduled time of the meeting.

Cheryl Brown
Deputy City Secretary, City of Kerrville, Texas

3D. Resolution No. 31-2014, authorizing the waiver for Habitat for Humanity Kerr County, Inc. of various fees associated with the construction of homes; said waiver to remain in effect through September 30, 2015, or the construction of nine homes, whichever occurs first. (Habitat for Humanity)

3E. Resolution No. 34-2014, authorizing the waiver for Hill Country Home Opportunity Council, Inc. of various fees associated with the construction of homes; said waiver to remain in effect through September 30, 2014, or the construction of three homes, whichever occurs first. (staff)

3F. Purchase of a new Type 1 ambulance from Dallas Dodge Chrysler Jeep at a price not to exceed \$166,675. (staff)

3G. Resolution No. 32-2014, canceling the regular meeting of the City Council scheduled for November 25, 2014. (staff)

3H. Resolution No. 33-2014, canceling the regular meeting of the City Council scheduled for December 23, 2014. (staff)

3I. Authorization to solicit proposals for a recruitment firm for the selection and hiring of the position of fire chief. (staff)

END OF CONSENT AGENDA

4. ORDINANCES, SECOND AND FINAL READING:

4A. Ordinance No. 2014-20 amending Chapter 6 "Advertising", Article II "Signs", Section 6-36 "Exempt Signs" of the City's Code of Ordinances to exempt from permitting signs used by school districts, other school campuses, or public athletic facilities to promote sporting events or extracurricular activities; containing a savings and severability clause; providing for penalties not to exceed \$2,000.00; ordering publication; providing an effective date; and providing other matters related to the subject. (staff)

5. CONSIDERATION AND POSSIBLE ACTION:

5A. Amendment to the 2011 interlocal agreement for the construction of public sewer system improvements in the Kerrville South Colonia area. (staff)

The facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this event. Please contact the City Secretary's Office at 830-258-1117 for further information.

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Cheryl Brown
Deputy City Secretary, City of Kerrville, Texas

6. INFORMATION AND DISCUSSION:

6A. Report on the Kerrville Triathlon. (staff)

7. ITEMS FOR FUTURE AGENDAS

8. ANNOUNCEMENTS OF COMMUNITY INTEREST:

Announcement of items of community interest, including expressions of thanks, congratulations, or condolences; information regarding holiday schedules; honorary recognitions of City officials, employees, or other citizens; reminders about upcoming events sponsored by the City or other entity that is scheduled to be attended by City officials or employees; and announcements involving imminent threats to the public health and safety of the City. No action will be taken.

9. EXECUTIVE SESSION:

City Council may, as permitted by law, adjourn into executive session at any time to discuss any matter listed above including if they meet the qualifications in Sections 551.071 (consultation with attorney), 551.072 (deliberation regarding real property), 551.073 (deliberation regarding gifts), 551.074 (personnel matters), 551.076 (deliberation regarding security devices), and 551.087 (deliberation regarding economic development negotiations) of Chapter 551 of the Texas Government Code, including the following matters:

Section 551.071:

- Discuss City of Kerrville, Texas vs. Rio Robles, Inc., 198th District Court of Kerr County, No. 13698B (Condemnation).

Sections 551.071 and 551.072:

Discuss the purchase, exchange, lease, sale, or value of real property, the public discussion of which would not be in the best interests of the City's bargaining position with third parties, regarding property interests related to the following:

- River trail
- 800 Junction Highway, former City Hall property.

The facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this event. Please contact the City Secretary's Office at 830-258-1117 for further information.

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Cheryl Brown
Deputy City Secretary, City of Kerrville, Texas

Section 551.074:

- Annual review of city attorney.
- Annual review of city manager.

10. ACTION ON ITEMS DISCUSSED IN EXECUTIVE SESSION

11. ADJOURNMENT.

The facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this event. Please contact the City Secretary's Office at 830-258-1117 for further information.

I do hereby certify that this notice of meeting was posted on the bulletin board at the City hall of the City of Kerrville, Texas, and said notice was posted on the following date and time, October 10, 2014 at 2:00 p.m., and remained posted continuously for at least 72 hours preceding the scheduled time of the meeting.

Cheryl Brown
Deputy City Secretary, City of Kerrville, Texas

Agenda Item:

2A. Proclamation recognizing Clarabelle Snodgrass on the occasion of her 101st birthday. (Mayor Pratt)



City of Kerrville

701 MAIN STREET • KERRVILLE, TEXAS 78028 • 830.257.8000 • KERRVILLETX.GOV

RECOGNITION

WHEREAS, Clarabelle Barton Snodgrass was born October 13, 1913 in a home located on Water Street in Kerrville, Texas in the vicinity of the location of the present playground of Notre Dame Catholic Church; and

WHEREAS, Her formative years are indelibly etched in her excellent memory of life on the farm of her parents, Henry and Adelia Barton, in the Turtle Creek community where she attended Turtle Creek's one-room school that her parents had also attended, and which her grandfather was instrumental in establishing; and

WHEREAS, Clarabelle is the oldest living former student of Turtle Creek School, and also the oldest living Tivy graduate, graduating from Tivy High School 84 years ago, who as a loyal Tivy fan, enjoys listening to the radio broadcasts of the Friday night football games, and looks forward to riding in the Homecoming Parade on October 23rd for the third consecutive year; and

WHEREAS, She is still active in the local Historical Commission, United Daughters of the Confederacy and Western Dance Club of Harper, Texas as well as in all events involving family and friends; and

WHEREAS, Her interest and passion for preserving history has been instrumental in the preservation of historic sites and buildings including Union Church, and the Captain Joseph A. Tivy Building, now the Kerrville Independent School District Administration Office,

NOW THEREFORE, I, Jack Pratt, Mayor of the City of Kerrville, Texas do hereby join family and friends in honoring a most remarkable woman and historian on the occasion of her 101st birthday

CLARABELLE SNODGRASS

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Kerrville to be affixed hereto, the _____ day of _____ 2014.

Jack Pratt, Jr., Mayor



Agenda Item:

3A. Minutes of the city council regular meetings held September 9 and September 23, 2014. (staff)

CITY COUNCIL MINUTES
REGULAR MEETING

KERRVILLE, TEXAS
SEPTEMBER 9, 2014

On September 9, 2014, the Kerrville City Council meeting was called to order at 6:00 p.m. by Mayor Pratt in the city hall council chambers at 701 Main Street. The invocation was offered by City Secretary Brenda Craig, followed by the Pledge of Allegiance led by Police Chief John Young.

COUNCILMEMBERS PRESENT:

Jack Pratt	Mayor
Gene Allen	Mayor Pro Tem
Carson Conklin	Councilmember
Stacie Keeble	Councilmember
Gary F. Stork	Councilmember

COUNCILMEMBER ABSENT: None

CITY CORE STAFF PRESENT:

Todd Parton	City Manager
Mike Hayes	City Attorney
Kristine Day	Deputy City Manager
Brenda G. Craig	City Secretary
Sandra Yarbrough	Director of Finance
Ashlea Boyle	Special Projects Manager
John Young	Police Chief
Jason Lutz	Senior Planner

VISITORS PRESENT: List on file in city secretary's office for the required retention period.

1. VISITORS/CITIZENS FORUM:

1A. Jacques Dubose, American Red Cross, said he was excited to be located in Kerrville and would like to partnership with the community in various aspects.

2. CONSENT AGENDA:

Mr. Allen moved to approve consent agenda items 2A through 2K; Mr. Conklin seconded the motion, and it passed 5-0:

2A. Minutes of the city council regular meeting held August 12, 2014.

2B. Ratification of an emergency expenditures in the amount of \$52,136.00 made in accordance with state law and City policy for necessary repairs to the city's aquifer storage recovery well No. 1.

2C. Agreement between the City of Kerrville, Texas and the Kerrville Convention and Visitors Bureau, Inc. for the use of hotel occupancy tax funds for purchase, installation, and operation of digital sign in the CVB office parking lot to promote tourism.

2D. Purchase of Tymco street sweeper through Buy Board, in the amount of \$199,755.00.

2E. Economic development grant agreement between Hill Country District Junior Livestock Show Association (HCDJLSA) and the City of Kerrville, Texas Economic Improvement Corporation (arena and pens) in the amount of \$35,588.

2F. Project funding agreement between the City of Kerrville, Texas Economic Improvement Corporation and the City of Kerrville, Texas for improvements to the city's Louise Hays and Lehmann & Monroe Parks in an amount not to exceed \$600,000.00.

2G. Resolution No. 30-2014 amending the City of Kerrville fee schedule by revising fees charged for various services and uses provided or offered by the city.

2H. Professional services agreement with Freese and Nichols, Inc. for design of a river trail along the north side of the Guadalupe River from the Riverside Nature Center to the west property line of the city's Lowry Park located on Guadalupe Street, in an amount not to exceed \$67,000.00.

2I. Professional services agreement with Freese and Nichols, Inc. for a routing study and topographic survey for a river trail along the north side of the Guadalupe River from Lowry Park to Guadalupe Park, in an amount not to exceed \$75,000.00.

2J. Request for proposals (RFP) for bank depository contract.

2K. Construction contract with Alsay Inc. for completion of the aquifer storage recovery well No. 3 in an amount not to exceed \$120,040.00 and execution of additional change orders as necessary not to exceed a total contract amount of \$138,046.00.

END OF CONSENT AGENDA

2G. Resolution No. 30-2014 amending the City of Kerrville fee schedule by revising fees charged for various services and uses provided or offered by the city.

The following person spoke:

1. Carolyn Lipscomb asked if fees increased. Council noted there were no changes to fees except the fee for police escorts for funerals.

3. PUBLIC HEARING:

3A. Second public hearing to set the 2014 ad valorem tax rate.

Mr. Parton recommended the tax rate remain the same at \$0.5625. He noted the FY2015 budget was based on the current tax rate and expenditures to provide the current level of service and programs and was fiscally sustainable for at least the next five years. He noted the city had made substantial cuts in order to balance the budget in 2010, including the elimination of 15% of employee positions and deferring capital improvements, street maintenance, and vehicle replacement; the city was slowly beginning to catch up to the 2010 level of service. The existing tax rate would raise an additional \$330,000 above the previous budget forecast that the original budget was based on, and exceeded the effective tax rate by 4.67% due to the increase in property appraisals.

Council also discussed the following issues:

- Adopting the current tax rate was in effect raising taxes because Kerr Central Appraisal District's (KCAD) 2014 appraisals would increase property values approximately \$70 million.

- Consider lowering the tax rate a nominal amount instead of finding more ways to spend additional revenue.
- The original budget presented to council, prior to the additional \$330,000, included three additional crew members. Mr. Parton noted the original budget included three positions in the parks department to assist the street department with right of way maintenance, mowing, drainage and utility site maintenance, and additional parks maintenance. The additional \$330,000 would provide funding for three additional personnel in the street department; however, those positions would only be filled if the city received a grant to purchase additional street equipment. Mr. Parton proposed looking at the tax rate in 2017 if revenue continued to increase.
- Building a reserve fund in 2015 for the fire department in anticipation of continuation of the funding agreement with the county in order to be able to meet the obligation to provide fire and EMS services.
- Behind in street construction and maintenance and significant deferred capital replacement; vehicle replacement had been deferred since FY2010.
- 142 miles of streets in the city; have been paving six miles per year; life expectancy of a street was about 6 years, at this rate, a street might be paved every 25-26 years. Mr. Parton noted the pavement management program identified a minimum of 12 miles per year just to stay even.
- How did staff plan to implement a citizens' survey? Mr. Parton proposed to contact a survey company to conduct a community survey to look at what citizens wanted and then build a program and priorities based on the survey.
- Possibility of implementing a Medical Intensive Care Unit (MICU) ambulance? Mr. Parton noted insufficient funds at this time; however, the fire chief would be evaluating operations and making recommendations for future budgets; he estimated the cost at \$650,000 to fund expenses and additional crew to operate the MICU ambulance annually and it must be fiscally sustainable in future years.
- Several positions were frozen in the police department in 2010. Mr. Parton noted the proposed budget would unfreeze two positions; one position would remain frozen.

Mayor Pratt opened the public hearing at 6:20 p.m.; and the following person spoke:

1. Carolyn Lipscomb encouraged council to adopt the current tax rate and catch up on things that had been cut, maintenance and repairs, and the list of capital projects. Council asked if her taxes were frozen; Ms. Lipscomb replied yes.

No one else spoke and Mayor Pratt closed the public hearing at 6:22 p.m.

4. ORDINANCES, FIRST READING:

4A. Ordinance No. 2014-15, adopting the annual budget for the City of Kerrville, Texas, Fiscal Year 2015; providing appropriations for each City department and fund; containing a cumulative clause; and containing a savings and severability clause. Mayor Pratt read the ordinance by title only.

Mr. Parton gave a general overview of the proposed FY2015 budget:

- Maintained current tax rate of \$0.5625.

- Total revenue for all funds was \$46.2 million; expenditures were \$45.2 million.
- General fund expenditures were \$24.3 million, included maintaining the current level of service and proposed enhanced services: unfreezing two positions in the police department, increasing staff and supplies for street maintenance, adding a three member maintenance crew, and replacing 5-6 vehicles.
- Allocated \$600,000 in a reserve fund for fire department operations.
- Implemented step plans for police and fire employees and a 3% average merit increase for other employees.
- Continued to build reserves for fiscal sustainability.
- Maintained current utility rates.
- Water and sewer fund expenditures of \$9.9 million.
- \$11 million in pay as you go capital in water and sewer fund through FY2020, incorporated the integrated water and wastewater capital plans, and Phase I of the water reuse project.

If council voted to reduce the tax rate, Mr. Parton stated he would recommend a reduction in equipment replacement by at least one vehicle; he noted that some vehicles were 20 years old and without vehicles staff could not get the job done and vehicle maintenance would continue to increase.

Council also discussed the following issues:

- By keeping the current tax rate council was raising taxes. Council should make a very modest tax rate adjustment and cut vehicle replacement. If the tax rate was lowered this year, they would not vote to increase it next year.
- If the tax rate is lowered this year and taxes go down, in future years when the city has to raise the tax rate, properties with frozen taxes would not increase and those persons whose taxes are not frozen would have to bear a higher tax burden to make up for those whose taxes were frozen; properties with frozen taxes can go down but cannot go up.
- Some councilmembers' taxes were frozen and it would be unfair to vote to lower their taxes now and then when taxes had to be raised in the future, an additional burden would be placed on other taxpayers to make up for their frozen taxes; councilmembers would benefit personally, but as a whole the citizens of Kerrville would not. A lower rate now could result in a higher rate for young families in the future.
- The city had undergone substantial budget cuts in 2010 and let many staff go; council could not predict what would happen in 2015 with economy, appraisals, sales tax, etc. Council should not lower the rate at this time, should use the additional revenues to catch up on many things that were cut in 2010 such as maintenance.
- Some of the cuts made in 2010 were needed and Mr. Parton restructured the organization to be effective with fewer staff; council should continue to manage the city in a fiscally conservative and responsible manner and continue to work toward lowering the tax rate to provide some relief to the taxpayers.
- Should continue to work toward the FY2010 level of service and catch up on infrastructure upgrades and street repairs; the city was not near that level yet.
- The proposed budget reflected responsible spending of funds and benefited

the entire community.

- A tax rate reduction cannot be achieved without cutting programs.
- Since 2010 councils have built up the reserve funds and steadily increased staff to provide the same level of service as in 2010; this was responsible use of tax dollars and not wasteful spending.
- The city fought Kerr Central Appraisal District's (KCAD) appraised values on commercial properties because of the increase; if the council adopted the same tax rate, the city would benefit from the new appraisals by an increase in revenue; therefore, adopting the same tax rate would be the same as raising taxes. The city fought against it then and benefited from the increase now.
- Council was satisfied with the original budget prior to the additional revenue from the increased appraisals; city could make a very modest tax rate decrease and still accomplish everything in the draft budget. Keeping the same tax rate was not keeping taxes down.
- Mayor Pratt noted the city did not contest KCAD's values, rather, the city contested the method KCAD used to arrive at those values, which had no basis. This city did not contest the tax appraisals, the city contested the method KCAD used without justification that resulted in random increases ranging from 100-183%.
- KCAD had indicated that the reappraisal process was part of a two year project and residential appraisals would be raised next year, thus raising taxes again next year so the city would receive more revenue not less next year.
- Council did not approve a telephone tax, which the city was legally allowed to initiate, at a prior meeting; such tax would generate more revenue and council could lower the ad valorem tax rate.
- Public safety should be council's highest priority; population continued to increase and the number of police officers decreased in 2010; the city was operating with fewer staff than recommended. It was noted that two officers were added in the original budget and only one position remained frozen from 2010 cuts.
- Vehicles were tools and should be replaced on schedule. Staff cannot work around vehicle maintenance and operate efficiently. Staff had secured \$1.3 million funding for a fire truck that should have been replaced seven years ago.

The following person spoke:

1. Jimmie Spradling stated that at the time the tax freeze was passed, not everyone was in favor of it; some people were against it.

Council asked how much the average homeowner would save annually with a nominal rate reduction. Mr. Parton noted the average home was appraised at \$170,000; if the rate was reduced to \$0.56, the annual taxes on the average home would decrease approximately \$4.25. He also noted that 70% of the city's total ad valorem tax base was residential, of which 25% was frozen; in the future, taxes cannot be raised on the 25% of 70% whose taxes were frozen.

The following person spoke:

1. Carolyn Lipscomb stated that the city council had a right to question KCAD's arbitrary increase in business property values; however, taxes were an operating expense for businesses and generally operating costs were passed on to

customers through product pricing. The telephone tax proposed at the last meeting would be a regressive tax that would hit people equally, and such taxes and fees can hurt persons with lower income more significantly than those with higher income. The city paid for a study and developed a street improvement plan, and if the city did not maintain streets they would have to be totally reconstructed at a higher cost than sealcoating; delaying street maintenance will cost more in the future due to inflation, and those whose taxes are not frozen will have to pay more for street repairs.

Mr. Conklin moved to adopt the FY2015 budget that will require raising more revenue from property taxes than the previous fiscal year. Mr. Allen seconded the motion and it passed 3-2 with the following results upon roll call vote.

Jack Pratt	Yes
Gene Allen	Yes
Carson Conklin	Yes
Stacie Keeble	No
Gary Stork	No.

Mr. Allen moved for approval of Ordinance No. 2014-15 as presented on first reading adopting the FY2015 budget; Mr. Conklin seconded the motion and it passed 3-2 with Councilmembers Conklin, Allen, and Pratt voting in favor of the motion and Councilmembers Keeble and Stork voting against the motion.

4B. Ordinance No. 2014-16 levying an ad valorem tax for the use and the support of the municipal government for the City of Kerrville, Texas, for the Fiscal Year 2015; providing for apportioning each levy for specific purposes; and providing when taxes shall become due and when same shall become delinquent if not paid. Mayor Pratt read the ordinance by title only.

Mr. Parton recommended adopting the tax levy at \$0.5625 that would fund the FY2015 budget.

Mr. Stork moved to adjust the tax rate to \$0.559 per \$100 valuation; Ms. Keeble seconded the motion and the motion failed 2-3 with Councilmembers Stork and Keeble voting in favor of the motion and Councilmembers Allen, Conklin, and Pratt voting against the motion.

Mr. Conklin moved for approval of Ordinance No. 2014-16 on first reading and that the property tax be increased by the adoption of a tax rate of \$0.5625 which was effectively a 4.67% increase in the tax rate. Mr. Allen seconded the motion and it passed 3-2 with Councilmembers Conklin, Allen, and Pratt voting in favor of the motion and Councilmembers Keeble and Stork voting against the motion.

5. ORDINANCES, SECOND AND FINAL READING:

5A. Ordinance No. 2014-18 repealing Ordinance No. 2003-16 and creating a new "Planned Development District" for Personal Services I (beauty parlor/barber shop) on Lots 15 and 16, Block 16, Westland Place subdivision, City of Kerrville, Texas, and more commonly known as 401 W. Water Street; adopting a site plan

for said Planned Development District; making said district subject to certain conditions and restrictions; containing a cumulative clause; containing a savings and severability clause; establishing a penalty or fine not to exceed two thousand dollars (\$2,000.00); and ordering publication. Mayor Pratt read the ordinance by title only.

Mr. Lutz noted no changes since first reading.

Mr. Stork moved for approval of Ordinance No. 2014-18 on second and final reading; Mr. Conklin seconded the motion and it passed 5-0.

5B. Ordinance No. 2014-19 amending the City's "Zoning Code" by amending Article 11-I-18 "Special Screening Regulations" to change some screening requirements applicable to properties with commercial uses located adjacent to properties with residential land uses; containing a cumulative clause; containing a savings and severability clause; providing for a maximum penalty or fine of two thousand dollars (\$2,000.00); and ordering publication. Mayor Pratt read the ordinance by title only.

Mr. Lutz noted the ordinance would amend Type B screening requirements by removing the 50 ft. buffer and increasing the height of privacy fencing; no changes since first reading.

Mr. Allen moved for approval of Ordinance No. 2014-19 on second and final reading; Mr. Conklin seconded the motion and it passed 5-0.

6. CONSIDERATION AND POSSIBLE ACTION:

6A Resolution No. 21-2014 providing for the City's approval or disapproval of the Kerr Central Appraisal District's fiscal year 2015 budget.

Mr. Parton noted the city had not received a response from KCAD to council's previous questions.

Mr. Stork moved for approval of Resolution No. 21-2014 DISAPPROVING the Kerr Central Appraisal District's fiscal year 2015 budget; Mr. Conklin seconded the motion and it passed 5-0.

6B. Establish legislative priorities for the City of Kerrville for the Texas 84th Legislative Session and for the 114th US Congress.

Mr. Parton discussed potential legislative issues the city should support:

- Protect existing water permits and rights that the city has by exempting said rights from termination through subordination agreements downstream.
- Speed up TCEQ's permitting processes for municipal water suppliers.
- Address conflicts with water regulations, specifically, increased water quality standards cause treated water to be wasted, and health and safety operational criteria requires significant amount of water to be acquired, treated, and stored.

- Evaluate the roles, duties and authority of the state watermaster; watermaster working for the same entity responsible for permitting posed a potential conflict of interest.
- Improve regional transportation systems, i.e. increase clearance for oversized loads at Harper/I-10 interchange, and develop additional access road along I-10.
- Fund Kerrville/Kerr County Municipal Airport projects: installation of flight tower and possible future customs office.
- Oppose bills that would further limit local authority to set tax rates or limit a local authority's ability to sell debt.
- Fire flow and fire safety requirements outside of a city's boundaries; the city could require a development to build to a certain standard but cities could not enforce the requirement on private water providers or require them to water providers were not required to identify or designate fire hydrants.
- Setting the first day of school affects camps, tourism, and economic development.
- De-regulation of marijuana.
- Mental health services.

Mr. Parton proposed the city sponsor a trip, inviting representatives from other local entities, to Austin to meet with legislators.

The following person spoke:

1. Ruth Spradling asked if the city had any input in daylight savings time. Mr. Parton noted the city was not involved in daylight savings time.

Mr. Stork moved to adopt the list of legislative priorities as presented with condition that council may add items in the future. Ms. Keeble seconded the motion and it passed 5-0.

7. **ITEMS FOR FUTURE AGENDAS:** None.

8. **ANNOUNCEMENTS OF COMMUNITY INTEREST:**

- Sock Hop, September 27, 7:00 p.m., downtown.
- Kerrville Triathlon, September 27-28.

9. **EXECUTIVE SESSION:** None.

10. **ACTION ON ITEMS DISCUSSED IN EXECUTIVE SESSION**

No action taken during open session.

ADJOURNMENT. The meeting adjourned at 7:16 p.m.

APPROVED: _____

Jack Pratt, Jr., Mayor

ATTEST:

Brenda G. Craig, City Secretary

CITY COUNCIL MINUTES
REGULAR MEETING

KERRVILLE, TEXAS
SEPTEMBER 23, 2014

On September 23, 2014, the Kerrville City Council meeting was called to order at 6:00 p.m. by Mayor Pratt in the city hall council chambers at 701 Main Street. The invocation was offered by Ann Buck, Executive Director of the Impact Christian Women's Job Corps, followed by the Pledge of Allegiance led by Police Chief John Young.

COUNCILMEMBERS PRESENT:

Jack Pratt	Mayor
Gene Allen	Mayor Pro Tem
Carson Conklin	Councilmember
Stacie Keeble	Councilmember
Gary F. Stork	Councilmember

COUNCILMEMBER ABSENT: None

CITY CORE STAFF PRESENT:

Todd Parton	City Manager
Mike Hayes	City Attorney
Kristine Day	Deputy City Manager
Brenda G. Craig	City Secretary
Sandra Yarbrough	Director of Finance
Ashlea Boyle	Special Projects Manager
John Young	Police Chief
Jason Lutz	Senior Planner
Danny Batts	Chief Building Official
Stuart Barron	Director of Public Works

VISITORS PRESENT: List on file in city secretary's office for the required retention period.

1. VISITORS/CITIZENS FORUM:

1A. Bill Bacon, councilmembers to participate in the Kerr County Veterans Day parade to be held November 11 at 5:00 p.m. at Water and A Street.

2. PROCLAMATION:

2A. Proclamation proclaiming 2014 as the City of Kerrville's 125th Anniversary.

3. CONSENT AGENDA:

Mr. Conklin moved to approve consent agenda items 3A and 3B; Mr. Allen seconded the motion, and it passed 5-0:

3A. Minutes of the city council special meeting held August 14, 2014, and regular meeting held August 26, 2014.

3B. Construction contract with L.C. United Painting Co., Inc. for the rehabilitation and repainting of the stadium and summit tanks along with the addition of total

trihalomethanes mixers to the stadium tanks in the amount of \$627,500.00 and additional change orders which may exceed \$50,000.00 but not to exceed the total amount of \$690,250.00.

END OF CONSENT AGENDA

3B. Construction contract with L.C. United Painting Co., Inc. for the rehabilitation and repainting of the stadium and summit tanks along with the addition of total trihalomethanes mixers to the stadium tanks in the amount of \$627,500.00 and additional change orders which may exceed \$50,000.00 but not to exceed the total amount of \$690,250.00.

The following person spoke:

1. Harvey Brinkman noted the figures did not add up. Council noted the city purchasing policy gave the city manager authority to approve expenditures up to \$50,000 without having to come back to city council; the contract amount for this project was \$627,500.00; however, the city council was also giving the city manager authority to approve additional change orders that may exceed \$50,000 but would not exceed a total of \$690,250.00.

4. ORDINANCES, SECOND AND FINAL READING:

4A. Ordinance No. 2014-15, adopting the annual budget for the City of Kerrville, Texas, Fiscal Year 2015; providing appropriations for each City department and fund; containing a cumulative clause; and containing a savings and severability clause. Mayor Pratt read the ordinance by title only.

Mr. Parton noted no changes since first reading and recommended approval.

Mr. Conklin moved to adopt the FY2015 budget that will require raising more revenue from property taxes than the previous fiscal year. Mr. Allen seconded the motion and it passed 3-2 with Councilmembers Conklin, Allen, and Pratt voting in favor of the motion; and Councilmembers Keeble and Stork voting against the motion.

Mr. Allen moved for approval of Ordinance No. 2014-15 as presented on second and final reading; Mr. Conklin seconded the motion and it passed 3-2 with the following results upon roll call vote:

Jack Pratt	Yes
Gene Allen	Yes
Carson Conklin	Yes
Stacie Keeble	No
Gary Stork	No.

4B. Ordinance No. 2014-16 levying an ad valorem tax for the use and the support of the municipal government for the City of Kerrville, Texas, for the Fiscal Year 2015; providing for apportioning each levy for specific purposes; and providing when taxes shall become due and when same shall become delinquent if not paid. Mayor Pratt read the ordinance by title only.

Mr. Parton noted the ordinance would adopt the current tax rate of \$0.5625 for the fifth year, and would provide funding for the FY2015 budget as adopted in Ordinance No. 2014-15.

Mr. Stork moved to adopt the property tax rate at \$0.559 per \$100 valuation; Ms. Keeble seconded the motion and the motion failed 2-3 with Councilmembers Stork and Keeble voting in favor of the motion and Councilmembers Allen, Conklin, and Pratt voting against the motion.

Mr. Conklin moved for approval of Ordinance No. 2014-16 on second and final reading and that the property tax be increased by the adoption of a tax rate of \$0.5625 which was effectively a 4.23% increase in the tax rate. Mr. Allen seconded the motion.

The following person spoke:

1. Carolyn Lipscomb compared Kerrville's tax rate with other cities and the type of services those cities provided; no one wanted to pay taxes, but without taxes there were no services or amenities such as those that Kerrville has. Kerrville's tax rate was mid-range.

2. Sam Ligon noted in 2010 the city had hard times and cut staff and projects to keep the tax rate reasonable. The streets and utilities needed continual repair and the city should move forward with maintenance. He had an average home and his taxes were frozen; if the tax rate was cut as proposed, his taxes would drop \$5.35, barely the cost of one fast food meal; he preferred the city do street maintenance.

The motion passed 3-2 with the following results upon roll call vote:

Jack Pratt	Yes
Gene Allen	Yes
Carson Conklin	Yes
Stacie Keeble	No
Gary Stork	No.

5. ORDINANCE, FIRST READING:

5A. Ordinance No. 2014-20 amending Chapter 6 "Advertising", Article II "Signs", Section 6-36 "Exempt Signs" of the city's Code of Ordinances to exempt from permitting signs used by school districts, other school campuses, or public athletic facilities to promote sporting events or extracurricular activities; containing a savings and severability clause; providing for penalties not to exceed \$2,000.00; ordering publication; providing an effective date; and providing other matters related to the subject. Mayor Pratt read the ordinance by title only.

Mr. Batts noted city council had been briefed on the amendment.

Mr. Conklin moved for approval of Ordinance No. 2014-20 on first reading; Mr. Allen seconded the motion and it passed 5-0.

6. CONSIDERATION AND POSSIBLE ACTION:

6A Resolution No. 27-2014 granting a petition requesting the annexation of an approximate 3.05 acres tract out of the W.H. Crawford Survey No. 653, Abstract No. 123, within Kerr County, Texas, and consisting of the property addressed as 421 Roy Street; and ordering the preparation of an annexation ordinance.

Mr. Lutz noted the owner was requesting annexation of his residential property at Roy and Thurman streets in order to be allowed to connect to city utilities.

Utilities would be decided in the next phase of the annexation process; however, he noted that a water line was located in the right of way across the frontage of the subject property, and a sewer line was available to the subject property but it was not extended to the end of the property as required for future connections.

The city had no plans for involuntary annexation in this area.

Council noted the subject property was surrounded on three sides by property that was inside the city limits.

Mr. Conklin moved for approval of Resolution No. 27-2014; Mr. Stork seconded the motion and it passed 5-0.

6B. Request from Kerr County to amend the 2011 interlocal agreement for the construction of public sewer system improvements in Kerrville South Colonia Area.

Mr. Parton noted for several years the county had been extending wastewater service in Kerrville South along Ranchero Road. Phase V, currently under construction, would require an upgrade to the city's lift station to handle the additional load, specifically, a modification of the pumps that would require three phase power. If Phase V was not operational by October 31, 2014, the county would fail to meet a condition of that grant. The interlocal agreement specified that the project would be built to standard specifications; the county proposed a temporary fix that would convert single phase power to three phase power supply to run the pumps. The county had a grant application pending for Phase VI which would complete the project and included the cost of permanent phase three power to the city's lift station. If the county did not receive the Phase VI grant that would fund permanent three phase power, the county provided a letter of commitment to guarantee funding and included the project in their 2015 budget. He recommended council accept the county's plan as outlined and direct city staff to prepare an amendment to the interlocal agreement for council's consideration.

The following person spoke:

1. Kerr County Commissioner Tom Moser stated that the county had tried to maximize number of connections possible with the \$500,000 grant from the Texas Department of Agriculture, and permanent phase three power would take months and cost \$100,000. The county's letter committed that the county would guarantee funding to provide permanent phase three either through the Phase VI grant or in the county's budget. On September 22, the commissioners' court set aside funds in a separate designated line item to fund phase three power to the lift station, and authorized the county judge to spend those funds as necessary and as stated in the commitment letter to the city. He estimated the time period to

be months or by the end of the year, and noted the project eliminated over 200 septic systems and protected Camp Meeting Creek and the surrounding area from pollution.

Mr. Allen moved to approve the request to amend the interlocal agreement as presented; Mr. Conklin seconded the motion and it passed 5-0.

6C. Pretreatment agreement for industrial wastewater discharge for Mooney International, Inc.

Mr. Barron noted that the Texas Commission on Environmental Quality (TCEQ) had designated Mooney International (MI) as a categorical wastewater producer and as such MI would be required to pretreat their wastewater before it entered the city's system. Staff worked with MI and developed a pretreatment agreement; staff recommended approval of the agreement contingent upon input from TCEQ and Freese and Nichols, Inc. (FNI), the city's consulting engineering firm. He recommended only a one year agreement at this time to give the city and FNI the opportunity to evaluate the wastewater and quantity of flow and work out details to protect the city.

Mr. Conklin moved to authorize the city manager to execute the pretreatment agreement with Mooney International contingent upon additional information from TCEQ and FNI.

Mr. Parton noted that in discussions with TCEQ and FNI they recommended the city move from a wastewater agreement to a wastewater permit process for industrial wastewater customers; this would allow the city flexibility to amend the permit as conditions and regulations changed. He noted at some point in the future as the city tied more industrial wastewater generating operations on to the city's system, the city would need to hire additional staff to monitor and manage industrial wastewater customers for compliance. He proposed that staff draft a wastewater permitting process to present to city council for adoption.

The following person spoke:

1. Ruth Spradling asked if Fox Tank fell under this requirement since they used chemicals. Mr. Barron stated that Fox Tank did not meet TCEQ criteria for a categorical user because of the processes they were doing. He noted in the past Mooney had wastewater ponds that had to be mediated and this had been discussed with Mooney International.

Mr. Stork seconded the motion and it passed 5-0.

6D. Draft ordinance requiring a permit and enacting minimum health and sanitation standards for lodging establishments within the city.

Mayor Pratt noted that some hotels were abusing their privilege of extended stay to avoid paying hotel occupancy tax. He received a draft ordinance from a hotel motel lobbyist organization and discussed it with several major Kerrville hoteliers. He reviewed some of the problems the city experienced at lodging establishments

including drug and alcohol violations, gambling, criminal activity, firearm discharge, prostitution, assault, robbery, murder, and repeated fire and building code violations. He proposed that the city enact minimum health and sanitation standards and a permitting process for lodging establishments. The hotel operator would be required to post all unsatisfactory inspections and reports in a visible location in proximity to the registration desk. He proposed general requirements that could be imposed on establishments such as outdoor cooking/grilling, insects/pest control, minimum sanitation standards, registration of all guests, extended stay requirements, and addressing illegal activities. A permit may be denied or revoked if the hotel operates as a common nuisance. Several hoteliers and convention and visitors bureau (CVB) members were present.

The following person spoke:

1. Mike Lemons, representing hoteliers, stated that all major hoteliers agreed completely with the proposed ordinance and permit process. He stated that the ordinance would not place any additional restrictions or cost on the hotelier as most already meet strict requirements and were inspected by the flag hotel company/corporation and insurance companies. He stated he was also a member of the CVB.

Mr. Stork move to direct staff to move forward and bring the ordinance to council for adoption.

Council proposed setting extend stay at a maximum 5% and noted this would require the hotelier to pay occupancy tax on 95% of the rooms. This requirement should not affect situations where one corporation paid for a block of rooms for their employees; however, if it became an issue, council would reconsider.

Mr. Allen seconded the motion and it passed 5-0.

7. INFORMATION AND DISCUSSION:

7A. Report by the main street advisory board (MSAB) parking committee.

David Martin, member of the MSAB, noted the parking committee consisted of members of the MSAB, Historic Downtown Business Alliance, property owners, and city staff. He provided a parking availability map and noted 914 public/quasi-public and 333 private parking spaces. He reviewed the committee's findings:

- Perceived parking shortage; the number of spaces were adequate at this time.
- Property/business owners and their employees choose to park in public, on-street parking, leaving fewer spots for customers.
- Parking hours may be too brief for customers; current limit is two hours between 8 a.m. – 6 p.m., Monday through Friday.
- Persons were unaware of various parking options available, particularly the free parking garage.

Mr. Martin noted that some of the quasi-public parking spaces currently opened to the public could become private as ownership changes. The committee made the following recommendations:

- Increase parking time limit from 2 hours to 3 hours.
- Improve signage about free public parking in the parking garage.
- Marketing to make the public aware of parking options.
- Signs designating types of parking: free, customer, time restricted.
- Enforcement of time limit may become necessary.
- City continue maintenance and lighting at parking garage.
- Allocate funds to develop a parking marketing program.
- Create an exclusive employee parking lot in downtown core.

Council noted that increasing the time limit could result in less turn over for new customers, which could affect the success of downtown businesses. Mr. Martin noted that downtown business owners were contacted and the conclusion was to increase the time limit to 3 hours.

7B. Budget update.

Ms. Yarbrough gave the financial report for the period ending August 31, 2014: general fund revenues totaled \$21,110,917 and expenditures \$19,585,281; water and sewer fund revenues at \$9,217,504 and expenditures at \$8,737,516; hotel/motel fund revenues at \$938,516 and expenditures at \$887,281; 61 permits were issued for new residential construction.

The following person spoke:

1. Ruth Spradling noted revenue for water sales was down. Ms. Yarbrough noted city water restrictions due to the drought.

8. BOARD APPOINTMENTS:

8A. Appointments to the golf course advisory board.

Mr. Conklin moved to reappoint Chuck McCarter and Allen Stern, and to appoint Marion Chester Giesecke all with terms to expire July 1, 2016; Ms. Keeble seconded the motion and it passed 5-0.

8B. Appointments to the parks and recreation advisory board.

Mr. Allen moved to appoint James Gardner with term to expire March 31, 2015; Ms. Keeble seconded the motion and it passed 5-0.

9. ITEMS FOR FUTURE AGENDAS. None.

10. ANNOUNCEMENTS OF COMMUNITY INTEREST:

- Sock Hop, September 27, 7:00 p.m., downtown.
- Kerrville Triathlon, September 27-28.
- Operation Got Drugs by Kerrville Police Department, September 27, 10:00-2:00.
- October 3, downtown block party

11. EXECUTIVE SESSION:

Mr. Conklin moved for the city council to go into executive closed session under Sections 551.071 551.072 of the Texas Government Code; motion was seconded by Ms. Keeble and passed 4-0 to discuss the following:

Sections 551.071 and 551.072:

Discuss the purchase, exchange, lease, sale, or value of real property, the public discussion of which would not be in the best interests of the City's bargaining position with third parties, regarding property interests related to the following:

- River trail.
- 800 Junction Highway, former city hall property.

Section 551.071:

- Cause No. 14686A; Westar Construction, Inc. v. City of Kerrville; in the District Court, 216th Judicial District, Kerr County, Texas.

At 7:24 p.m. the regular meeting recessed and council went into executive closed session at 7:33 p.m. At 7:53 p.m. the executive closed session recessed and council returned to open session at 7:54 p.m. The mayor announced that no action had been taken in executive session.

12. ACTION ON ITEMS DISCUSSED IN EXECUTIVE SESSION

Sale of real property at 800 Junction Highway, former city hall property.

Mr. Conklin moved to authorize the city manager to:

- Deny the offer received from Mr. Pollard; and
- Execute a contract for the sale of 800 Junction Highway with the other offer received.

Mr. Stork seconded the motion and it passed 5-0.

ADJOURNMENT. The meeting adjourned at 7:55 p.m.

APPROVED: _____

Jack Pratt, Jr., Mayor

ATTEST:

Brenda G. Craig, City Secretary

Agenda Item:

3B. Approval of bid and authorization to purchase new vehicles for the police department in an amount not to exceed \$119,387. (staff)

**TO BE CONSIDERED BY THE CITY COUNCIL
CITY OF KERRVILLE, TEXAS**

SUBJECT: Approval of bid and authorization to purchase new vehicles for the police department.

FOR AGENDA OF: October 14, 2014 **DATE SUBMITTED:** October 6, 2014

SUBMITTED BY: Chief John Young **CLEARANCES:** Todd Parton, City Manager

EXHIBITS: Vehicle Specification Sheet/Purchase Costs

AGENDA MAILED TO:

APPROVED FOR SUBMITTAL BY CITY MANAGER: 

Expenditure	Current Balance	Amount	Account
Required:	in Account:	Budgeted:	Number:
\$ 119,387	\$150,000	\$150,000	18-800-503

PAYMENT TO BE MADE TO:

REVIEWED BY THE FINANCE DIRECTOR:

SUMMARY STATEMENT

The staff contacted the local government-purchasing cooperative to determine the availability and cost of purchasing 4 new vehicles which are approved in the FY15 budget. Buyboard purchases city fleet vehicles and equipment in large numbers for numerous cities. Their ability to purchase in bulk, translates into cost savings of equipment for purchasing cities. The listed prices for four (3) new Chevrolet Caprice unmarked police vehicles with extended warranties were obtained from the local government-purchasing cooperative, Buyboard. The total cost of three (3) vehicles is \$86,757. The listed price for one (1) marked police vehicle with extended warranty is \$32,230. Total cost including a \$400 Buyboard fee is \$119,387.

3---2014 Chevrolet Caprices -----18-800-503-----\$86,757

1---2014 Chevrolet Caprice -----18-800-503-----\$32,230

Total cost = \$118,987 + \$400 buyboard fee = \$119,387

RECOMMENDED ACTION

The Chief of Police recommends that City Council approve the bid and authorize the purchase of four (4) vehicles from the local government-purchasing cooperative, Buyboard. The vehicles purchased will replace patrol and investigator vehicles within the current fleet that are high mileage and/or require excessive maintenance.

QUOTE# 00B-UNMARKED

CONTRACT PRICING WORKSHEET

End User: CITY OF KERRVILLE	Contractor: CALDWELL COUNTRY
Contact Name: CHIEF JOHN M. YOUNG	CALDWELL COUNTRY
Email: JOHN.YOUNG@KERRVILLE.TX.GOV	Prepared By: Averyt Knapp
Phone #: 830-258-1301 830-739-2701	Email: aknapp@caldwellcountry.com
Fax #:	Phone #: 800-299-7283 or 979-567-6116
Location City & State: KERRVILLE	Fax #: 979-567-0853
Date Prepared: OCTOBER 6, 2014	Address: P. O. Box 27, Caldwell, TX 77836
Contract Number: BUY BOARD #430-13	Tax ID # 14-1856872
Product Description: 2014-2015 CHEVROLET CAPRICE PPV 1EW19	
A Base Price & Options:	\$28,919.

B Published Options

Code	Description	Cost	Code	Description	Cost
	6.0LV8-FFV, REAR WHEEL DRIVE, 6-SPD AUTOMATIC, AIR CONDITION, AMFM-CD, TILT, CRUISE, POWER SEATS/LUMBAR-DRIVER PASSENGER, CLOTH BUCKET FRONT/CLOTH, REAR BENCH, CARPET FLOOR W/MATS, FULL SIZE SPARE, DUAL BATTERIES, TRUNK SLIDE TRAY, FRONT/REAR STROBES, POWER SUPPLY, CONSOLE MOUNTING BASE W/CONSOLE, SA315P, FLASHER SYSTEM FRONT/REAR, FULL WHEEL COVERS, POWER MIRRORS, POWER WINDOWS, POWER LOCKS, TILT, CRUISE, REAR DEFOGGER, SINGLE KEY FLEET 6E3, GRILLE LAMP SIREN/SPEAKER WIRING, AUXILARY DOME LAMP, TRUNK CARGO MAT, WIRING FOR CUSTOMER CONNECTION, WIRING-HORN SIREN CIRCUIT-INLINE, GM WARRANTY 5YR/100,000 POWERTRAIN @ N/C	INCL		UNMARKED-INVESTIGATORS	
				CALDWELL COUNTRY	
				PO BOX 27	
				CALDWELL, TEXAS 77836	

Subtotal B						INCL
C Unpublished Options						
Code	Description	Cost	Code	Description	Cost	
Subtotal C						
D Other Price Adjustments (Installation, Delivery, Etc..)						
Subtotal D						INCL
E Unit Cost Before Fee & Non-Equipment Charges (A+B+C+D)						\$28,919
Quantity Ordered						3
X						
Subtotal E						\$86,757
F Non-Equipment Charges (Trade-In, Warranty, Etc..)						
BUY BOARD						\$400
G. Color of Vehicle: TBD (WHITE, BLACK, SILVER, KARMA JADE, HUGO BLUE, RED HOT) (BLUE, 2-SILVER, WHITE IN STOCK 2014 MODEL)						INCL
H. Total Purchase Price (E+F)						\$87,157
Estimated Delivery Date:					90-120 DAYS APPX	

QUOTE# 00A

CONTRACT PRICING WORKSHEET

End User: CITY OF KERRVILLE	Contractor: CALDWELL COUNTRY
Contact Name: CHIEF JOHN M. YOUNG	CALDWELL COUNTRY
Email: JOHN.YOUNG@KERRVILLE.TX.GOV	Prepared By: Averyt Knapp
Phone #: 830-258-1301 830-739-2701	Email: aknapp@caldwellcountry.com
Fax #:	Phone #: 800-299-7283 or 979-567-6116
Location City & State: KERRVILLE	Fax #: 979-567-0853
Date Prepared: OCTOBER 6, 2014	Address: P. O. Box 27, Caldwell, TX 77836
Contract Number: BUY BOARD #430-13	Tax ID # 14-1856872
Product Description: 2014-2015 CHEVROLET CAPRICE PPV 1EW19	

A Base Price & Options:	\$32,230.
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B Published Options

Code	Description	Cost	Code	Description	Cost
	6.0LV8-FFV, REAR WHEEL DRIVE, 6-SPD AUTOMATIC, AIR CONDITION, AMFM-CD, TILT, CRUISE, POWER SEATS/LUMBAR-DRIVER PASSENGER, CLOTH BUCKET FRONT/VINYL REAR BENCH, FULL RUBBER FLOOR, FULL SIZE SPARE, DUAL BATTERIES, TRUNK SLIDE TRAY, FRONT/REAR STROBES, POWER SUPPLY, CONSOLE MOUNTING BASE, SA315P, FLASHER SYSTEM FRONT/REAR, LH SPOTLIGHT, POWER MIRRORS, POWER WINDOWS, POWER LOCKS, TILT, CRUISE, REAR DEFOGGER, SINGLE KEY FLEET 6E3, GRILLE LAMP SIREN/SPEAKER WIRING, AUXILARY DOME LAMP, TRUNK CARGO MAT, WIRING FOR CUSTOMER CONNECTION, WIRING-HORN SIREN CIRCUIT-INLINE, SPECIAL TWO TONE PAINT-FOUR DOORS/ROOF, GM WARRANTY 5YR/100,000 POWERTRAIN @ N/C	INCL		MARKED- BLACK & WHITE	
				CALDWELL COUNTRY	
				PO BOX 27	

				CALDWELL, TEXAS	77836	
Subtotal B						INCL
C Unpublished Options						
Code	Description	Cost	Code	Description	Cost	
Subtotal C						
D Other Price Adjustments (Installation, Delivery, Etc...)						
Subtotal D						INCL
E	Unit Cost Before Fee & Non-Equipment Charges (A+B+C+D)					\$32,230
X	Quantity Ordered					1
Subtotal E						\$32,230
F Non-Equipment Charges (Trade-In, Warranty, Etc...)						
BUY BOARD						\$400
G. Color of Vehicle: BLACK & WHITE (4 DOORS/ROOF)						INCL
H. Total Purchase Price (E+F)						\$32,630
Estimated Delivery Date:					90-120 DAYS APPX	

Agenda Item:

3C. Agreement for the City of Kerrville to participate in the Alamo Area Fire Chiefs' Association employment testing cooperative. (staff)

**TO BE CONSIDERED BY THE CITY COUNCIL
CITY OF KERRVILLE, TEXAS**

SUBJECT: Authorize the City of Kerrville Fire Department to join and participate in the Alamo Area Fire Chiefs Association Employment Testing Cooperative.

FOR AGENDA OF: October 14, 2014 **DATE SUBMITTED:** October 1, 2014

SUBMITTED BY: Dannie Smith *D.S.* **CLEARANCES:**
Interim Fire Chief

EXHIBITS: Alamo Area Fire Chiefs Association Employment Testing Cooperative (ETC)
Agency Participation Agreement

AGENDA MAILED TO:

APPROVED FOR SUBMITTAL BY CITY MANAGER: *JP*

Expenditure Required:	Current Balance in Account:	Amount Budgeted:	Account Number:
\$	\$	\$	

PAYMENT TO BE MADE TO:

REVIEWED BY THE DIRECTOR OR FINANCE:

SUMMARY STATEMENT

The Alamo Area Fire Chiefs Association Employment Testing Cooperative (ETC) is a committee of the Alamo Area Fire Chiefs Association (AAFCA), which is comprised of representatives from member fire and emergency service agencies in the greater San Antonio area. The purpose of the ETC is to create a pool of entry-level Firefighter candidates for employment through a cooperative basic screening effort. The pool is created through an application and testing process approved by a majority of committee member agencies and in compliance with applicable law. Candidates that successfully complete all phases of the testing process will be placed in a hiring pool that will become available to member agencies.

RECOMMENDED ACTION

The Fire Chief recommends that City Council authorize the City of Kerrville Fire Department to join and participate in the Alamo Area Fire Chiefs Association Employment Testing Cooperative.

Alamo Area Fire Chiefs Association Employment Testing Cooperative

Agency Participation Agreement

Section 1 Introduction

The Alamo Area Fire Chiefs Association Employment Testing Cooperative (ETC) is a committee of the Alamo Area Fire Chiefs Association (AAFCA), which is comprised of representatives from member fire and emergency service agencies in the greater San Antonio area. The purpose of the ETC is to create a pool of entry-level Firefighter candidates for employment through a cooperative basic screening effort. The pool is created through an application and testing process approved by a majority of committee member agencies and in compliance with applicable law.

Section 2 Committee Membership

Membership in the ETC shall be open to any public fire or emergency agency with an active membership in the AAFCA, subject to the approval process contained herein. Each committee member agency shall have one vote in any matter subject to membership approval or rejection. Prospective new committee member agencies must be nominated for membership by an existing ETC member and approved or rejected by a majority vote of member agency representatives present at any regular or special committee meeting. Member agencies are responsible for paying their equal share of any dues or other expenses approved by the membership. Membership in the ETC may be revoked by a majority vote of member agencies.

Section 3 Meetings

Meetings will be held in November or December of each year and at other times as may be necessary to conduct the business of the ETC. Each member agency shall be given a minimum of fourteen (14) days notice of all upcoming meetings. Meetings will be conducted in accordance with Roberts Rules of Order.

Section 4 Annual Testing of Applicants

The testing of applicants will occur at least annually, on dates and at times decided upon by the membership. The testing process will consist of the following three phases:

1. **Application Process.** The ETC places advertisements in publications of general circulation and distributes applications to each member agency. The advertisements are also posted on the AAFC web page, along with an on-line application. In order to be eligible for testing, candidates must return the applications to the ETC by a specified closing date with all relevant forms attached and completed or must have completed the on-line application by the closing date.
2. **Aptitude Examination.** The aptitude examination shall be produced by a reputable testing service supported by criterion related evidence and designed to measure some or all of the following abilities that are relevant to the job of an entry level Firefighter:
 - Reading Comprehension, Situational Judgment, Observational Judgment Logical Reasoning, Spatial Scanning, Association Memory, Spatial Orientation, Mathematical Computations, Mechanical Aptitude, Map Reading; Interpreting Tables, Vocabulary, Memory For Ideas, and Reading Gauges.
3. **Physical Ability Test.** The Physical Ability Test shall be the standard CPAT test; designed to determine whether a candidate is physically able to perform the essential functions of the job of an entry level Firefighter. Candidates will be required, to successfully perform a series of tasks with similar strength, flexibility and endurance requirements of the job of firefighting, but without the need for any fire related skills or knowledge.

The ETC may review and change any portion of the testing process, as the members deem appropriate.

Section 5 The Hiring Pool

Candidates that successfully complete all phases of the testing process will be placed in a hiring pool that will become available to member agencies. Candidates will remain in the hiring pool for two years or until hired, whichever occurs first. The ETC will determine an equitable and timely manner in which to make the candidate's files available to participating agencies. Each ETC member agrees to consider candidates in the hiring pool for all entry level Firefighter hiring it conducts. However, participation in the hiring pool is not a guarantee of

employment with any of the ETC members. Further, each ETC member is free to independently seek candidates and to hire from other sources as well. Nothing in this participation agreement shall be construed to limit the authority of any ETC member agency to determine its own minimum requirements for employment or to administer additional pre or post job offer employment testing in its hiring process.

Section 6 Amending the Agreement

This agreement may only be amended by a majority vote of all ETC committee member agencies. Any proposed changes must be mailed or sent by facsimile or electronically to member agencies at least seven days prior to the meeting in which they are scheduled to be voted on. The ETC committee Chairperson will accept and count absentee ballots provided they are signed by the agency representative and received prior to the meeting. All member agencies will be provided a current copy of this agreement.

Section 7 Grievance Procedure

The ETC hereby establishes an appeal process for candidates who feel they have a legitimate grievance regarding their participation in the ETC testing process. Candidates will be informed of this process prior to the beginning of a scheduled test.

Step 1. Send a written notice to the ETC Chairperson, within fourteen (14) calendar days following the completion of the test in question, detailing all the circumstances of the event being grieved and the remedy sought. If the Chairperson can resolve the grievance and believes it is appropriate to do so, he or she shall resolve it within five (5) working days of receipt of the complaint. If the Chairperson believes the grievance to be frivolous, he or she shall summarily dismiss the grievance within five (5) working days of receipt and the matter shall be deemed closed. The ETC Chairperson shall refer all other grievances to the committee within five (5) days of receipt of the notice.

Step 2. The committee will consider the grievance within a reasonable time and may receive testimony and evidence from the parties concerned. A decision in the matter will be rendered by majority vote of ETC member agencies. The committee's decision shall constitute the final disposition of the grievance.

**Section 8
Indemnification**

Each individual member of the ETC agrees it is solely responsible for its own employment decisions that occur after the cooperative testing process, and hereby indemnifies and agrees to hold harmless, to the extent permitted by law, the ETC and each individual member thereof, for claims arising from its own employment decisions, including claims for attorney's fees and costs.

**Section 9
Severance**

Membership is for no specific term and may be terminated at any time through written notice to the ETC Chairperson. The addition or deletion of parties to this Agreement shall not affect the Agreement as to the remaining parties, except as may be specifically provided by amendment to this Agreement.

**Section 10
Participation Agreement**

The agency listed below hereby joins the Alamo Area Fire Chiefs Association Employment Testing Cooperative (ETC), and agrees to abide by the provisions of this agreement.

This agreement is between the agencies that execute this Agreement. The ETC Chairperson shall maintain a list of the agencies that have approved and executed this Agency Participation Agreement.

_____, Texas
(Department, Agency or Entity Name) (County)

Signature: _____

Date: _____

Printed Name: _____

Title: _____
(Mayor, City Manager, CEO, etc.)

Agenda Item:

3D. Resolution No. 31-2014, authorizing the waiver for Habitat for Humanity Kerr County, Inc. of various fees associated with the construction of homes; said waiver to remain in effect through September 30, 2015, or the construction of nine homes, whichever occurs first. (Habitat for Humanity)

**TO BE CONSIDERED BY THE CITY COUNCIL
CITY OF KERRVILLE, TEXAS**

SUBJECT OF REQUEST: Request a waiver for all development fees related to the improvement of property for low income, single-family home ownership opportunities available by the construction of homes by Habitat for Humanity Kerr County.

AGENDA DATE: 10/14/2014

DATE SUBMITTED: 9/25/2014

REQUESTED/SUBMITTED BY: Elizabeth Loggie **PHONE:** 830-792-4844

ORGANIZATION REPRESENTING: Habitat for Humanity Kerr County

MAILING ADDRESS: PO BOX 294566, Kerrville, TX 78029

EMAIL ADDRESS: director@habitatkerr.org

EXHIBITS/INFORMATION:

APPROVED FOR SUBMITTAL BY CITY MANAGER: 

**WILL THIS ITEM REQUIRE CITY COUNCIL TO AUTHORIZE THE
EXPENDITURE OF CITY FUNDS? YES: _____ NO: X**

IF YES, STATE AMOUNT REQUESTED: \$ _____

DESCRIPTION OF REQUEST

Habitat for Humanity Kerr County has had a long and satisfying relationship with the City of Kerrville during our 25 years of existence. The City has been kind enough to waive permit fees related to the construction of decent, affordable homes in this community. Instead of taking city staff and Council time to consider a waiver for each individual lot we hope to build on, it has been more efficient to request a waiver for the amount of lots intend to build on in a given year.

Therefore, we are requesting that Council consider a waiver for all development fees related to the improvement of property for low income, single-family home ownership opportunities available by the construction of homes by Habitat for Humanity Kerr County. This waiver is requested to apply to a maximum of 9 (nine) homes between now and 9/30/2015.

RECOMMENDED COUNCIL ACTION



Building houses, building hope

September 25, 2014

City Council-City of Kerrville
701 Main Street
Kerrville, Texas 78028
Attn: Brenda Craig

Dear Ms. Craig

RE: Waiver of Fees

Habitat for Humanity Kerr County has had a long and satisfying relationship with the City of Kerrville during our 25 years of existence. The City has been kind enough to waive permit fees related to the construction of decent, affordable homes in this community. Instead of taking city staff and Council time to consider a waiver for each individual lot we hope to build on, it has been more efficient to request a waiver for the amount of lots intend to build on in a given year. Therefore, we are requesting that Council consider a waiver for all development fees related to the improvement of property for low income, single-family home ownership opportunities available by the construction of homes by Habitat for Humanity Kerr County. This waiver will apply to a maximum of 9 (nine) homes between now and 9/30/2015.

Thank you for your consideration of this matter.

Sincerely,

A handwritten signature in black ink that reads "Elizabeth Loggie".

Elizabeth Loggie
Executive Director

cc: Jason Lutz

**CITY OF KERRVILLE, TEXAS
RESOLUTION NO. 31-2014**

A RESOLUTION AUTHORIZING THE WAIVER FOR HABITAT FOR HUMANITY KERR COUNTY, INC. OF VARIOUS FEES ASSOCIATED WITH THE CONSTRUCTION OF HOMES; SAID WAIVER TO REMAIN IN EFFECT THROUGH SEPTEMBER 30, 2015, OR THE CONSTRUCTION OF NINE HOMES, WHICHEVER OCCURS FIRST

WHEREAS, the work of Habitat for Humanity Kerr County, Inc. ("Habitat-Kerr County") benefits the citizens of Kerrville by providing a means of increasing affordable housing within the City of Kerrville; and

WHEREAS, Habitat-Kerr County intends to construct nine homes within the City, which addresses are unspecified at this time; and

WHEREAS, Habitat-Kerr County has requested that the City waive the payment of various fees related to the development of the lots and construction of the homes; and

WHEREAS, the City Council of the City of Kerrville, Texas, finds that increasing the inventory of affordable housing in the City, encouraging in-fill development on property which for-profit home builders generally find unprofitable, and encouraging new construction in areas of the City where neighborhood revitalization is needed, all serve a public purpose, and as such, it is in the public interest to waive the fees specified below which would result from Habitat-Kerr County's construction of the homes, specified above;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF KERRVILLE, KERR COUNTY, TEXAS:

SECTION ONE. Subject to Sections Two and Three, below, the payment of the following fees are waived for Habitat-Kerr County through September 30, 2015, or with the construction of nine homes, whichever event occurs first:

1. Parkland Dedication Fee;
2. Building, Electrical, Plumbing, and Mechanical Fees; and
3. Platting and replatting fee.

SECTION TWO. The waiver of fees described in Section One, above, applies only to applications filed by Habitat-Kerr County, and for the development and construction of a maximum of nine homes.

SECTION THREE. The waiver of the various fees listed in Section One, above, is not to be construed and does not waive any requirements for obtaining the various permits and inspections required by the Code of Ordinances of the City of Kerrville, Texas, or any other applicable federal,

state, or local law or regulation, nor is it to be construed as granting any waivers or variances to the subdivision regulations of the City of Kerrville.

PASSED AND APPROVED ON this the _____ day of _____, A.D., 2014.

Jack Pratt, Jr., Mayor

ATTEST:

Brenda G. Craig, City Secretary

APPROVED AS TO FORM:



Michael C. Hayes, City Attorney

Agenda Item:

3E. Resolution No. 34-2014, authorizing the waiver for Hill Country Home Opportunity Council, Inc. of various fees associated with the construction of homes; said waiver to remain in effect through September 30, 2014, or the construction of three homes, whichever occurs first. (staff)

**TO BE CONSIDERED BY THE CITY COUNCIL
CITY OF KERRVILLE, TEXAS**

SUBJECT: Resolution, Waiver of Development Fees Request – Consider a resolution to waive property development fees for the Hill Country Home Opportunity Council.

FOR AGENDA OF: October 14, 2014 **DATE SUBMITTED:** October 8, 2014

SUBMITTED BY: Jason Lutz

CLEARANCES: Dieter Werner 

EXHIBITS:

AGENDA MAILED TO: Teresa Offutt - 550 Earl Garrett Street, Suite 202. Kerrville, TX 78028

APPROVED FOR SUBMITTAL BY CITY MANAGER: 

Expenditure Required:	Current Balance in Account:	Amount Budgeted:	Account Number:
N/A	N/A	N/A	N/A

PAYMENT TO BE MADE TO:

REVIEWED BY THE DIRECTOR OF FINANCE:

SUMMARY STATEMENT

The Hill Country Home Opportunity Council has requested that the City of Kerrville waive the payment of various fees related to the development of property through their program. This resolution presented replaces a similar resolution passed in October, 2013.

The resolution presented allows for:

- A general exemption of development fees, including planning/platting fees, building permit fees, and parkland dedication fees, and
- Allows this exception to run through September 30, 2015.

The resolution presented does not:

- Waive any fee related to utility service or connection, nor release the Hill Country Home Opportunity Council Inc., its contractor or agents, from the requirement to acquire permits, inspections, or plat approvals, nor
- Create any other waiver or variance of any law, code, or ordinance, other than the forgiveness of fees.

RECOMMENDED ACTION

1. Approve the resolution as presented.

**CITY OF KERRVILLE, TEXAS
RESOLUTION NO. 34-2014**

A RESOLUTION AUTHORIZING THE WAIVER FOR HILL COUNTRY HOME OPPORTUNITY COUNCIL, INC. OF VARIOUS FEES ASSOCIATED WITH THE CONSTRUCTION OF HOMES; SAID WAIVER TO REMAIN IN EFFECT THROUGH SEPTEMBER 30, 2015, OR THE CONSTRUCTION OF THREE HOMES, WHICHEVER OCCURS FIRST

WHEREAS, the work of Hill Country Home Opportunity Council, Inc. ("HCHOC") benefits the citizens of Kerrville by providing a means of increasing affordable housing within the City of Kerrville; and

WHEREAS, HCHOC intends to construct three homes within the City, which addresses are unspecified at this time; and

WHEREAS, HCHOC has requested that the City waive the payment of various fees related to the development of the lots and construction of the homes; and

WHEREAS, the City Council of the City of Kerrville, Texas, finds that increasing the inventory of affordable housing in the City, encouraging in-fill development on property which for-profit home builders generally find unprofitable, and encouraging new construction in areas of the City where neighborhood revitalization is needed, all serve a public purpose, and as such, it is in the public interest to waive the fees specified below which would result from HCHOC's construction of the homes, specified above;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF KERRVILLE, KERR COUNTY, TEXAS:

SECTION ONE. Subject to Sections Two and Three, below, the payment of the following fees are waived for HCHOC through September 30, 2015, or with the construction of three homes, whichever event occurs first:

1. Parkland Dedication Fee;
2. Building, Electrical, Plumbing, and Mechanical Fees; and
3. Platting and replatting fee.

SECTION TWO. The waiver of fees described in Section One, above, applies only to applications filed by HCHOC, and for the development and construction of a maximum of three homes.

SECTION THREE. The waiver of the various fees listed in Section One, above, is not to be construed and does not waive any requirements for obtaining the various permits and inspections required by the Code of Ordinances of the City of Kerrville, Texas, or any other applicable federal,

state, or local law or regulation, nor shall it be construed as granting any waivers or variances to the subdivision regulations of the City of Kerrville.

PASSED AND APPROVED ON this the _____ day of _____, A.D., 2014.

Jack Pratt, Jr., Mayor

ATTEST:

Brenda G. Craig, City Secretary

APPROVED AS TO FORM:



Michael C. Hayes, City Attorney

Agenda Item:

3F. Purchase of a new Type 1 ambulance from Dallas Dodge Chrysler Jeep at a price not to exceed \$166,675. (staff)

**TO BE CONSIDERED BY THE CITY COUNCIL
CITY OF KERRVILLE, TEXAS**

SUBJECT: Authorize the purchase of a Type 1 Ambulance from Dallas Dodge Chrysler Jeep at a price not to exceed \$166,675

FOR AGENDA OF: October 14, 2014 **DATE SUBMITTED:** August 29, 2014

SUBMITTED BY: Dannie Smith *d.e.s.* **CLEARANCES:** Todd Parton
Fire Chief City Manager

EXHIBITS: Frazer - Buyboard Quote #9327-BuyBoard

AGENDA MAILED TO:

APPROVED FOR SUBMITTAL BY CITY MANAGER: 

Expenditure	Current Balance	Amount	Account
Required:	in Account:	Budgeted:	Number:
\$166,675	\$183,593	\$166,675	01-830-503

PAYMENT TO BE MADE TO: DALLAS DODGE CHRYSLER JEEP
REVIEWED BY THE FINANCE DIRECTOR:

SUMMARY STATEMENT

The Fire Chief is requesting authorization from the City Council to award a contract for the purchase of a Type 1 Ambulance from Buyboard Quote #9327-BuyBoard. This contract was awarded to Frazer Ambulance Company through their licensed dealer, Dallas Dodge Chrysler Jeep. By contracting through Buyboard we will be able to purchase an ambulance using their bid price. Such agreements are allowable under State Law. The purchase of this ambulance is scheduled in the 7-year vehicle replacement plan.

One (1) 2015 Dodge 4500 Chassis and 14' Module-----\$ 166,675

The required funds were approved by the City Council on September 23, 2014 and are available in the FY2014/2015 Budget

RECOMMENDED ACTION

Authorize the City Manager to purchase a Type 1 Ambulance from Dallas Dodge Chrysler Jeep at a price not to exceed \$166,675



September 3, 2014

Eric Maloney
 EMS Coordinator
 Kerrville Fire Department
 Email: eric.maloney@kerrvilletx.gov

Quote #9327-BuyBoard

Mr. Maloney,

Below is itemized pricing for contract number Ambulance #400-12 for one (1) Frazer 14' Generator Powered Module mounted on a Dodge Ram 4500 6.7L diesel chassis with an air suspension system.

Item 1 - 14' Modular Body on Additional Duty Dodge Ram 4500 Cummins diesel chassis	\$ 140,000.00
<u>Published Options:</u>	
Heat shielding for diesel chassis	\$ 1,500.00
Module has single color paint scheme – NOT white	\$ 850.00
Conspicuity on the entire rear of the module including the doors in a chevron pattern	\$ 1,500.00
Striping and lettering - \$2700	\$ 2,700.00
Buell dual 10" & 12" air horns	\$ 800.00
Mount the air horn compressor below the front I/O	\$ 800.00
Blue EVS captain's chair with built-in child safety seat	\$ 700.00
Black netting at the head of the squad bench	\$ 750.00
Extra O2 outlet in the ceiling raceway	\$ 350.00
Chrome nerf bars for Ram 3500, 4500	\$ 450.00
Arm rests on the console	\$ 200.00
Double Squad bench cabinet w/ padding on end	\$ 600.00
22 pocket acrylic organizer above squad bench (was PD1)	\$ 450.00
Shore power ignition kill switch	\$ 225.00
Black Ranch Hand grille guard/full replacement bumper with wrap-arounds for Dodge Ram 3500/Ram 4500 (2010-2012)	\$ 1,300.00
Sound-Off red/clear map lights in truck cab above passenger's seat	\$ 150.00
(1) large aluminum map holder	\$ 175.00
2 high "D" cylinder holder in the O2 compartment next to the laydown O2	\$ 175.00
Extra overhead grab rail on a 14' unit	\$ 275.00
Exhaust buzzer cut off switch at the rear door switch panel	\$ 200.00
Double locking aluminum drug box	\$ 250.00
Run 12VDC power to the front corner area for a future MedVault	\$ 225.00
Extra 120VAC duplex outlet centered on the squad bench – between the squad bench cushions	\$ 150.00
120VAC quad outlet in lieu of duplex outlet on the front wall	\$ 50.00
120VAC quad outlet instead of a duplex in the front I/O above the shelf	\$ 50.00
Add 1" Powder Coated lip to shelf of 14' I/O	\$ 50.00
Add 1" Powder Coated lip to bottom of 14' I/O	\$ 50.00
Oxygen regulator	\$ 150.00
(x2) 2 high glove box holder on the side main door	\$ 250.00

Stainless steel braided valve extenders	\$	150.00
“COMP OPEN” and “DOOR OPEN” warning buzzer – use our standard buzzer	\$	100.00
Dri-Deck in the rear storage, radio and front backboard compartments and on the shelf of the O2 compartment for 14' unit	\$	300.00
Radio speakers in module off chassis radio with volume control	\$	450.00
Unpublished Options:		
Liquid Spring suspension system	\$	9,500.00

Base Price	\$	140,000.00
Published Options	\$	16,375.00
Unpublished Options	\$	9,500.00
Buy Board fee	\$	800.00
Total	\$	166,675.00

All pricing is F.O.B Houston.

Per TMVCC we are quoting this through our licensed franchise dealer, Dallas Dodge Chrysler Jeep.

Please make your purchase order out to Dallas Dodge Chrysler Jeep (11550 LBJ Frwy, Dallas, TX 75238). Please email a copy of your purchase order and this quote to Tim Middlebrooks with Dallas Dodge Chrysler Jeep at tmiddlebrooks@kag-1.net, BuyBoard at buyboard@tasb.org, and to Laura Richardson at sales@frazerbilt.com.

Thank you for the opportunity to quote this job. If you have any questions please call me at 888-372-9371.

Best Regards,



Laura Richardson
Frazer, Ltd.

LGR:SH

Agenda Item:

3G. Resolution No. 32-2014, canceling the regular meeting of the city council scheduled for November 25, 2014. (staff)

**TO BE CONSIDERED BY THE CITY COUNCIL
CITY OF KERRVILLE, TEXAS**

SUBJECT: Resolution No. 32-2014 canceling the November 25, 2014 regular city council meeting

FOR AGENDA OF: October 14, 2014 **DATE SUBMITTED:** October 7, 2014

SUBMITTED BY: Brenda Craig
City Secretary

CLEARANCES: Todd Parton
City Manager

EXHIBITS: Resolution No. 32-2014

AGENDA MAILED TO:

APPROVED FOR SUBMITTAL BY CITY MANAGER: 

Expenditure	Current Balance	Amount	Account
Required:	in Account:	Budgeted:	Number:
\$	\$	\$	

PAYMENT TO BE MADE TO:

REVIEWED BY THE FINANCE DIRECTOR:

SUMMARY STATEMENT

The proposed resolution cancels the November 25, 2014 regular city council meeting.

RECOMMENDED ACTION

The city secretary recommends approval of Resolution No. 32-2014 canceling the November 25 regular city council meeting.

**CITY OF KERRVILLE, TEXAS
RESOLUTION NO. 32-2014**

**A RESOLUTION CANCELING THE REGULAR MEETING OF
THE CITY COUNCIL SCHEDULED FOR NOVEMBER 25,
2014**

WHEREAS, Section 2-31 of the Code of Ordinances for the City of Kerrville provides that City Council meetings are to be held the second and fourth Tuesdays of each month; and

WHEREAS, Section 2-31 also provides the City Council may, by majority vote at a regular meeting, change the days or times of meetings as circumstances may necessitate;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF KERRVILLE, KERR COUNTY, TEXAS:

The regular meeting of the City Council scheduled for November 25, 2014, is hereby canceled.

PASSED AND APPROVED ON this the _____ day of _____ A.D., 2014.

Jack Pratt, Jr., Mayor

ATTEST:

Brenda G. Craig, City Secretary

APPROVED AS TO FORM:



Michael C. Hayes, City Attorney

Agenda Item:
(Staff)

3H. Resolution No. 33-2014, canceling the regular meeting of the city council scheduled for December 23, 2014. (staff)

**TO BE CONSIDERED BY THE CITY COUNCIL
CITY OF KERRVILLE, TEXAS**

SUBJECT: Resolution No. 33-2014 canceling the December 23, 2014 regular city council meeting

FOR AGENDA OF: October 14, 2014 **DATE SUBMITTED:** October 7, 2014

SUBMITTED BY: Brenda Craig
City Secretary

CLEARANCES: Todd Parton
City Manager

EXHIBITS: Resolution No. 33-2014

AGENDA MAILED TO:

APPROVED FOR SUBMITTAL BY CITY MANAGER: 

Expenditure	Current Balance	Amount	Account
Required:	in Account:	Budgeted:	Number:
\$	\$	\$	

PAYMENT TO BE MADE TO:

REVIEWED BY THE FINANCE DIRECTOR:

SUMMARY STATEMENT

The proposed resolution cancels the December 23, 2014 regular city council meeting.

RECOMMENDED ACTION

The city secretary recommends approval of Resolution No. 33-2014 canceling the December 23, 2014 regular city council meeting.

**CITY OF KERRVILLE, TEXAS
RESOLUTION NO. 33-2014**

**A RESOLUTION CANCELING THE REGULAR MEETING OF
THE CITY COUNCIL SCHEDULED FOR DECEMBER 23, 2014**

WHEREAS, Section 2-31 of the Code of Ordinances for the City of Kerrville provides that City Council meetings are to be held the second and fourth Tuesdays of each month; and

WHEREAS, Section 2-31 also provides the City Council may, by majority vote at a regular meeting, change the days or times of meetings as circumstances may necessitate;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF KERRVILLE, KERR COUNTY, TEXAS:

The regular meeting of the City Council scheduled for December 23, 2014, is hereby canceled.

PASSED AND APPROVED ON this the _____ day of _____ A.D., 2014.

Jack Pratt, Jr., Mayor

ATTEST:

Brenda G. Craig, City Secretary

APPROVED AS TO FORM:



Michael C. Hayes, City Attorney

Agenda Item:
(Staff)

3I. Authorization to solicit proposals for a recruitment firm for the selection and hiring of the position of fire chief. (staff)

**TO BE CONSIDERED BY THE CITY COUNCIL
CITY OF KERRVILLE, TEXAS**

SUBJECT: Authorization to solicit proposals for a recruitment firm for the selection and hiring of the position of Fire Chief

FOR AGENDA OF: Oct. 14, 2014

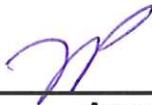
DATE SUBMITTED: Oct. 7, 2014

SUBMITTED BY: Todd Parton
City Manager

CLEARANCES:

EXHIBITS: Draft Fire Chief Recruitment Request for Proposals

AGENDA MAILED TO:

APPROVED FOR SUBMITTAL BY CITY MANAGER: 

Expenditure	Current Balance	Amount	Account
Required:	in Account:	Budgeted:	Number:
\$0	\$0	\$0	

PAYMENT TO BE MADE TO:

REVIEWED BY THE FINANCE DEPARTMENT:

SUMMARY STATEMENT

Authorization to proceed with requests for proposals to conduct a nationwide recruitment and selection for Kerrville's next Fire Chief is requested. The recruitment process would include the creation of a position profile that would be built around community and departmental needs, input from the department, input from management, and input from the City Council.

Kerrville's Fire Chief is a vital position and it is imperative that a slate of qualified candidates is developed in order to find the best fit for the department and the community. The successful candidate will need to exhibit the necessary professional qualifications, display appropriate leadership qualities, and have a proven track record in the fields of firefighting and emergency medical services.

Should the RFP process be initiated, city staff will bring back proposals for City Council's consideration. City Council will have the right to approve a proposal or reject all proposals. Costs relating to the recruitment will be established through the RFP.

RECOMMENDED ACTION

City staff recommends that the City Council authorize the city manager to solicit requests for proposals to conduct a nationwide search for the position of fire chief.



KERRVILLE, TEXAS

**Request for Proposals
For
Executive Search Consultant for
Fire Chief**

Issued By:
City of Kerrville
701 Main Street
Kerrville, Texas 78028
Phone: 830.258.1505
Fax: 830.792.8346

Date(s) of Issuance: 10/22/14 and 10/29/14
Proposal Deadline: 11/21/14

I. GENERAL INFORMATION

A. Introduction

The City of Kerrville, Texas is seeking services from a qualified executive search consultant for the recruitment of a new Fire Chief. The prior Fire Chief retired effective August 12, 2014 after six (6) years of service to the Kerrville community.

B. Purpose and Intent

The City of Kerrville is seeking proposals from qualified executive search firms for the successful recruitment, screening, and identification of qualified candidates to interview and appoint as Fire Chief.

Each proposal received by the deadline shall be considered a bona fide offer of consulting services and shall remain in effect for up to 90 days from the date of submission. The City Council reserves the right to reject any and all proposals, to waive any irregularities or to accept any portion of a proposal where the best interests of the City of Kerrville will be served.

C. Community/Department Profile

The City of Kerrville is located 65 miles northwest of San Antonio on Interstate Highway 10 in the heart of the Texas Hill Country. The 2013 estimated population of the City is 22,663. Rolling hills and sparkling spring-fed creeks that meander through the Guadalupe River Valley characterize the area. Residents proudly proclaim that Kerrville has a small town atmosphere with many amenities of a big city.

The Guadalupe River is the focal point for the City and provides a major recreational asset that is literally next to downtown. Because of the water resources, Kerrville has been a center for business and ranching since the mid-1800s.

Well-known as a center for tourism, Kerrville has developed into a center for arts and culture. The City is home to the nationally known Museum of Western Art and the nationally recognized Kerr Arts and Cultural Center. The City is speckled with art galleries and artists workshops. Support for the arts in the community is significant, demonstrated by the construction and operation of the Cailloux Theatre, an award-winning performing arts center.

Because of the moderate climate, Kerrville attracts visitors year-round to some 30 youth camps, impacting the area economy by also providing locations for corporate retreats, family reunions, and other group events hosted during the off-season. A wide variety of outdoor recreation activities abound, including sports, historical discoveries, and youth activities, the Kerrville Folk Festival and the Kerrville Triathlon Festival. The Kerrville area is a prime location for hunting dove, quail, Whitetail deer and exotic game, which plays a major role in the economy.

Kerrville is an appealing retirement community as retirees are attracted to superb health care facilities such as Peterson Regional Medical Center (PRMC), a private, not-for-profit community hospital in the heart of the Texas Hill Country. Opened in April 2008, PRMC has 125 private patient rooms, anchors a 35-acre campus that includes an ambulatory care center complete with out-patient surgery, imaging, laboratory and rehabilitation services as well as a regional wound healing center, and the newly opened Cailloux Professional Building. In addition, Kerrville has state of

the art cancer treatment centers, the Kerrville State Hospital, a facility of the Texas Department of MHMR, and the South Texas Veteran's Health Care System (Kerrville VA Hospital).

Kerrville is home to several well-known manufacturing companies, shipping goods nationwide such as airplanes and aviation-related products, jewelry, hunting blinds and medical equipment. This area is also attractive to 'lone eagle' business persons due to the proximity to Interstate 10 and the San Antonio metro area.

The Kerrville Fire Department (KPD) is a paid department that provides fire suppression, fire prevention, emergency medical (ALS), fire marshal, and emergency management services. KPD employs 78 full-time employees and operates four fire stations, each manned and equipped with a three-man engine company. Kerr County contracts with the City of Kerrville to provide 911 emergency medical services throughout the entirety of the county and to provide first responder fire suppression services to a portion of the county.

For more information on the City and the area, please visit the website at www.kerrvilletx.gov.

D. City Government

The City of Kerrville operates under a home rule charter originally adopted in 1942. The City adopted the Council/Manager form of government in 1928. The City is governed by a five-member City Council, and is composed of a Mayor and four Councilmembers elected by place and voted on by the entire city.

The Kerrville City Council appoints the City Manager to be the chief executive and head of the administrative branch of the City government. The City Manager is authorized to appoint and remove all officers and employees of the City except the City Attorney and Municipal Court Judge, which are appointed by the City Council. The Fire Chief is appointed by and works under the direct supervision of the City Manager.

E. General Requirements

Proposals will be received by the City Secretary's Office, City of Kerrville, 701 Main Street, Kerrville, Texas 78028 until 3:00 p.m. on November 21, 2014. The mere fact that a proposal was dispatched will not be considered. The respondent must ensure that the response is actually delivered. Late proposals will not be considered.

Questions pertaining to this RFP should be directed to:

Kimberly Meisner
Director of General Operations
City of Kerrville
701 Main Street
Kerrville, Texas 78028
Phone: 830.258.1140
Email: kim.meisner@kerrvilletx.gov

The successful proposal should include the methodology that will be employed to recruit applicants. Proposals should provide straightforward and concise presentation adequate to satisfy the requirement of the RFP. Emphasis should be on completeness and clarity of content. Responsiveness to the RFP will be a principal basis for evaluation. The City of Kerrville reserves the right, without reservation to:

- Select any proposal based on written or oral communication with any or all of the firms or individuals when such action is considered to be in the best interest of the City of Kerrville.
- Reject all proposals.
- Exercise discretion and apply its judgment with respect to any proposals submitted and to pick and choose or even add to various parts of a proposed methodology.
- In accordance with current law, all proposals will be deemed confidential and will be retained by the City of Kerrville, but may be subject to disclosure at such time the City enters into an agreement with a successful proposer.

If an award is made to perform executive search consulting services described in the Request for Proposal (RFP); the firm selected to provide such services would be retained by the City through an agreement.

II. SCOPE OF WORK

The successful consulting firm will be expected to accomplish the following:

- Develop a suitable candidate profile using input from the City Council, Kerrville Fire Department, and City Manager.
- Develop and administer a nationwide search for suitable applicants.
- Take receipt of all resumes and other applicable documents from candidates.
- Conduct in-depth reviews of candidates' credentials using criteria established from the City Manager.
- Select the most qualified, skilled and articulate candidates, which shall be reviewed by the City Manager; provide a written report summarizing results and the identification of up to 10 candidates for consideration.
- Advise the City Manager on interview strategies, techniques and questions as needed.
- Arrange for and/or conduct finalist(s) professional background investigations.
- Assist with employment negotiations if requested or as deemed necessary.

III. PROPOSAL REQUIREMENTS

In order to be fully responsive, each proposal should include the following:

A. Background

- Detail of the search firm's experience with public sector recruitment, including number of executive, local government sector searches and placements.
- Background and qualifications for personnel that will be assigned to Kerrville's recruitment effort.
- Sample work product such as recruitment brochures, candidate questionnaires, candidate references and background reports.

B. Schedule

Include a tentative schedule for each phase of the process including recruitment profile development, executive search, candidate background evaluations, identification of candidates and Council review. In addition, the consultant should provide detail of its current engagements and confirm its ability to focus on our recruitment without delay.

C. References

Provide a list of four (4) client references for executive search work performed within the previous three (3) years.

D. Unsuccessful Recruitment

Provide written detail of how the consulting firm approaches either an unsuccessful recruitment or the premature dismissal for cause or resignation of identified candidate.

E. Professional Fees and Charges

Provide a total cost estimate for the performance of Kerrville's executive search including fees and anticipated costs for reimbursable items. Any costs incurred by consulting firms in preparing or submitting their proposal are the sole responsibility of the firm. Payment terms shall also be included in the proposal.

IV. PROPOSAL EVALUATION CRITERIA

The method of selection will be based on the following criteria set forth below:

- Responsiveness to the provisions of this RFP.
- Thoroughness of proposal and clarity of services to be provided.
- Prior successful recruitments, especially for the position of Fire Chief.
- Qualification and experience of the individuals assigned to perform the executive search.
- Schedule and availability.
- Cost of services.
- Reference contact information.

V. PROPOSAL SUBMISSION INFORMATION

Proposal submittals are to include one (1) original (unbound and single-sided) and six (6) copies. The original submittal must have original signatures and must be signed by a person who is authorized to bind the submitting form or organization. All additional sets may contain photocopies of the original package. The proposal containing the original signature(s) should be clearly marked "Original". Each copy provided must be marked clearly as "Copy".

Submittals will be received until 3:00 p.m. CST on November 21, 2014, as determined by www.time.gov. Late submittals will not be accepted and will be returned to the submitter unopened. Telephone, telegraphic, electronic, faxed, and late submittals will not be accepted. It is the respondent's responsibility to see that their submittal has sufficient time to be received by the City Secretary's office before the submittal deadline. Submittals are to be submitted in a sealed envelope or box to:

**City Secretary's Office
City of Kerrville
701 Main Street
Kerrville, Texas 78028**

Respondent assumes the burden of delivery. Sealed submittals are to be clearly marked:

Proposal for Executive Search Services for Fire Chief – 2014
Deadline: November 21, 2014 – 3:00 p.m. CST

VI. CONTRACT AWARD

Following proposal evaluations, interviews (if desired), and reference calls, the award of a contract to the successful executive search firm will be at the sole discretion of Kerrville's City Council.

The City Council on behalf of the City of Kerrville reserves the right to negotiate the final terms of the contract.

Agenda Item:

4A. Ordinance No. 2014-20 amending Chapter 6 "Advertising", Article II "Signs", Section 6-36 "Exempt Signs" of the city's Code of Ordinances to exempt from permitting signs used by school districts, other school campuses, or public athletic facilities to promote sporting events or extracurricular activities; containing a savings and severability clause; providing for penalties not to exceed \$2,000.00; ordering publication; providing an effective date; and providing other matters related to the subject. (staff)

**TO BE CONSIDERED BY THE CITY COUNCIL
CITY OF KERRVILLE, TEXAS**

SUBJECT: ORDINANCE AMENDING CHAPTER 6 "ADVERTISING", ARTICLE II "SIGNS", SECTION 6-36 "EXEMPT SIGNS" OF THE CITY'S CODE OF ORDINANCES TO EXEMPT FROM PERMITTING SIGNS USED BY SCHOOL DISTRICTS AND OTHER CAMPUSES TO PROMOTE SPORTING EVENTS OR EXTRACURRICULAR ACTIVITIES.

FOR AGENDA OF: October 14, 2014 **DATE SUBMITTED:** October 7, 2014

SUBMITTED BY: Danny Batts

CLEARANCES: Kristine Day

EXHIBITS:

AGENDA MAILED TO:

APPROVED FOR SUBMITTAL BY CITY MANAGER: 

Expenditure	Current Balance	Amount	Account
Required:	in Account:	Budgeted:	Number:
\$	\$	\$	

PAYMENT TO BE MADE TO:

REVIEWED BY THE DIRECTOR OF FINANCE:

SUMMARY STATEMENT

The purpose of the current sign ordinance was to provide uniform standards for the City's business community in order to prevent the unregulated proliferation of signs. The sign ordinance was never intended to restrict a school district or any other school campus or public athletic facility from displaying a logo, insignia, trade mark, catchphrase, moto, or other similar content associated with any of the Districts intramural sports or other extra-curricular activities.

RECOMMENDED ACTION

Approve ordinance as presented.

**CITY OF KERRVILLE, TEXAS
ORDINANCE NO. 2014-20**

AN ORDINANCE AMENDING CHAPTER 6 “ADVERTISING”, ARTICLE II “SIGNS”, SECTION 6-36 “EXEMPT SIGNS” OF THE CITY’S CODE OF ORDINANCES TO EXEMPT FROM PERMITTING SIGNS USED BY SCHOOL DISTRICTS, OTHER SCHOOL CAMPUSES, OR PUBLIC ATHLETIC FACILITIES TO PROMOTE SPORTING EVENTS OR EXTRACURRICULAR ACTIVITIES; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR PENALTIES NOT TO EXCEED \$2,000.00; ORDERING PUBLICATION; PROVIDING AN EFFECTIVE DATE; AND PROVIDING OTHER MATTERS RELATED TO THE SUBJECT

WHEREAS, the City Council of the City of Kerrville, Texas (“City Council”) seeks to provide for the orderly development and use of property within the corporate limits of the City of Kerrville, Texas (“City”) and its extraterritorial jurisdiction (“ETJ”); and

WHEREAS, toward that end, City Council, pursuant to Ordinance No. 2012-05, adopted a new Sign Code, as codified in Article II of Chapter 6 of the City’s Code of Ordinances; and

WHEREAS, Ordinance No. 2012-05 established regulations governing the location, size, design, installation, and maintenance of signs located within the City and its ETJ; and

WHEREAS, City staff recommends revising the Sign Code to exempt from permitting signs placed on school district campuses, other school campuses, or public athletic facilities to promote sporting events and other extracurricular activities; and

WHEREAS, City Council, after considering among other things, the character of the various areas of the City and the suitability of particular uses in each area; and with a view to conserving the value of property, maintaining safety, and the public health, and encouraging the most appropriate use of land throughout the City, finds it to be in the best interest of the health, safety, morals, and general welfare of the City of Kerrville, Texas, to amend the Sign Code with as provided herein;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF KERRVILLE, KERR COUNTY, TEXAS:

SECTION ONE. Chapter 6 “Advertising”, Article II “Signs”, of the Code of Ordinances of the City of Kerrville, Texas, is amended by amending Section 6-36 by adding the language that is underlined (added) as follows:

“Sec. 6-36. Exempt signs.

:
:

(18) Any permanent sign erected on school district property or any other school campus or public athletic facility for the sole purpose of displaying the school’s or facility’s logo.

insignia, trademark, catchphrase, motto, or other similar content associated with any of the school's or facility's sports or extracurricular activities. The content may not include any type of commercial message, to include the purpose of sponsorship."

SECTION TWO. The City Secretary is authorized and directed to send this Ordinance to the publisher of the City's Code of Ordinances and the publisher is authorized to amend said Code as adopted herein, to correct any typographical errors, and to index, format, number, and letter the paragraphs to the existing Code, as appropriate.

SECTION THREE. The provisions of this Ordinance are cumulative of all other ordinances or parts of ordinances governing or regulating the same subject matter as that covered herein; provided, however, that all prior ordinances or parts of ordinances inconsistent with or in conflict with any of the provisions of this Ordinance are expressly repealed to the extent of any such inconsistency or conflict.

SECTION FOUR. If any section, subsection, sentence, clause, or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such holding shall not affect the validity of the remaining portions of this Ordinance. The Council of the City of Kerrville, Texas, declares that it would have passed this Ordinance and each section, subsection, sentence, clause, or phrase hereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared unconstitutional or invalid.

SECTION FIVE. The penalty for violation of this Ordinance shall be in accordance with the general penalty provisions contained in Section 1-8, or its successor section, of the Code of Ordinances of the City of Kerrville, Texas, which provides for a fine not exceeding TWO THOUSAND DOLLARS (\$2,000.00).

SECTION SIX. Pursuant to Texas Local Government Code §52.013(a) and Section 3.07 of the City's Charter, the City Secretary is hereby authorized and directed to publish the descriptive caption of this Ordinance in the manner and for the length of time prescribed by law as an alternative method of publication.

SECTION SEVEN. This Ordinance shall become effective immediately upon the expiration of ten days following publication, as provided for by Section 3.07b. of the City Charter.

PASSED AND APPROVED ON FIRST READING, this the 23rd day of September
A.D., 2014.

PASSED AND APPROVED ON SECOND AND FINAL READING, this the ___ day
of _____, A.D., 2014.

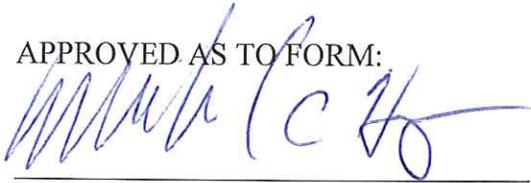
(signatures begin on following page)

Jack Pratt, Jr., Mayor

ATTEST:

Brenda G. Craig, City Secretary

APPROVED AS TO FORM:



Michael C. Hayes, City Attorney

Agenda Item:

5A. Amendment to the 2011 interlocal agreement for the construction of public sewer system improvements in the Kerrville South Colonia area. (staff)

**TO BE CONSIDERED BY THE CITY COUNCIL
CITY OF KERRVILLE, TEXAS**

SUBJECT: Amendment to the 2011 Interlocal Agreement for the construction of public sewer system improvements in the Kerrville South Colonia area.

FOR AGENDA OF: Oct. 14, 2014

DATE SUBMITTED: Oct. 7, 2014

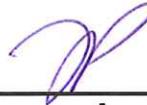
SUBMITTED BY: Todd Parton
City Manager

CLEARANCES:

EXHIBITS: Amended Interlocal Agreement – Texas Community Block Fund Grant 2011-2012 Colonia Fund

AGENDA MAILED TO:

APPROVED FOR SUBMITTAL BY CITY MANAGER:



Expenditure	Current Balance	Amount	Account
Required:	in Account:	Budgeted:	Number:
\$0	\$0	\$0	

PAYMENT TO BE MADE TO:

REVIEWED BY THE FINANCE DEPARTMENT:

SUMMARY STATEMENT

At its meeting on September 23, 2014, the City Council approved a proposal from Kerr County for an alternative design and installation method for the lift station included as part of Phase V of the Kerrville South wastewater system improvements. Kerr County had proposed the temporary installation of phase converters for the three-phase pumps installed as part of the project. Kerr County's plan is to extend three-phase power to the lift station and remove the phase converters either as part of Phase VI of the Kerrville South wastewater project or by Kerr County no later than December 31, 2015. Kerr County has passed a court order setting aside funds for the power extension should Phase VI not occur within the specified timeline.

The interlocal agreement currently states that Kerr County shall ensure that the project will meet the minimum specifications of City of Kerrville Standard Specifications for Subdivision Construction design criteria. This amendment reflects the temporary use of the phase converters pursuant to the City Council's action on September 23.

RECOMMENDED ACTION

City staff recommends that the City Council approve this amendment to the interlocal agreement as presented.

DRAFT 10/9/14

FIRST AMENDMENT TO INTERLOCAL AGREEMENT TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT 2011-12 COLONIA FUND

THIS FIRST AMENDMENT is dated this ____ day of October, 2014, between KERR COUNTY, TEXAS (“COUNTY”), acting through its Commissioners Court, and the CITY OF KERRVILLE, TEXAS (“CITY”), acting through its City Council.

RECITALS

WHEREAS, pursuant to that certain *Interlocal Agreement Texas Community Development Block Grant 2011-12 Colonia Fund*, with an effective date of June 3, 2011, between COUNTY and CITY (“the Interlocal Agreement”), COUNTY agreed to use grant funds from its Program Year 2011-12 Texas Community Development Block Grant Colonia Fund Contract that COUNTY was awarded and was responsible for, to construct improvements to the CITY’s public wastewater system within the Kerrville South Colonia area and other locations (the “Project”); and

WHEREAS, COUNTY has recently proposed using an alternative design and installation method for a lift station included as part of Phase V of the Project; and

WHEREAS, specifically, COUNTY proposes to use a temporary installation of phase converters for the three-phase pumps, which need to be installed as part of the Project; and

WHEREAS, COUNTY will eventually extend three-phase power to the lift station and remove the phase converters either as part of Phase VI of the Project or December 31, 2015, whichever occurs first; and

WHEREAS, toward this end, COUNTY has adopted a court order that set asides future funds necessary for the completion of this work; and

WHEREAS, CITY agrees that this temporary resolution and modification to the CITY’s design criteria for wastewater improvements is appropriate and in the public interest;

NOW THEREFORE, for and in consideration of the recitals set forth above and the agreements and conditions set forth below, COUNTY and CITY agree as follows:

SECTION ONE. The Interlocal Agreement, a copy of which is attached as **Exhibit A** and incorporated herein by reference, is amended to add the language that is underlined (added) as follows:

DRAFT 10/9/14

“The COUNTY shall:

⋮

- 5. Require its project engineer to use the current City of Kerrville Standard Specifications for Subdivision Construction design criteria with a provision that design flows from the proposed Quail Valley lift station improvements not exceed 175 gallons per minute. COUNTY may install and use, and CITY agrees to approve, an alternative design and installation method for the lift station included as part of Phase V of the Project, as limited to the temporary installation of phase converters for the three-phase pumps installed as part of the Project. Thereafter, COUNTY shall extend three-phase power to the lift station and remove the phase converters either as part of Phase VI of the Project or by December 31, 2015, whichever occurs first.”

SECTION TWO. Except to the extent the Interlocal Agreement is amended pursuant to Section One, above, the provisions of the Interlocal Agreement remain unchanged and in full force and effect.

SIGNED this ____ day of _____, 2014.

KERR COUNTY, TEXAS:

CITY OF KERRVILLE, TEXAS:

By: _____
Tom Pollard, County Judge

By: _____
Jack Pratt, Jr., Mayor

ATTEST:

ATTEST:

Jannett Pieper, County Clerk
Board of Trustees

Brenda Craig, City Secretary

APPROVED AS TO FORM:

APPROVED AS TO FORM:

Heather Stebbins, County Attorney

Michael C. Hayes, City Attorney

STATE OF TEXAS

§

INTERLOCAL AGREEMENT

Pursuant to the Interlocal Cooperation Act
Texas Government Code, Chapter 791

TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT
2011-12 COLONIA FUND

§

KERR COUNTY

This AGREEMENT is made between KERR COUNTY, TEXAS, hereinafter referred to as the COUNTY, acting through its Commissioners' Court, and the CITY OF KERRVILLE, hereinafter referred to as the CITY, acting through its City Council.

The COUNTY agrees to use grant funds from its Program Year 2011-12 Texas Community Development Block Grant Colonia Fund Contract that COUNTY has applied for and if awarded, will be solely responsible for, to construct improvements to the CITY's public sewer system in the Kerrville, South Colonia area and also upgrades to the public sewer system along Sand Bend Drive, if such is awarded to the COUNTY by the Texas Department of Rural Affairs (TDRA), hereinafter referred to as the GRANT. The term of this Agreement shall be from June 3, 2011, until the GRANT, if awarded, is administratively closed by TDRA. However, in any event, this Agreement shall terminate on December 31, 2016, unless extended by the parties. Either party may terminate this Agreement with thirty (30) days written notice to the other party.

The COUNTY shall:

1. Execute its GRANT responsibilities in a timely and efficient manner.
2. Be the repository of all receipts and documentation pertinent to the GRANT and furnish such to TDRA and CITY upon request.
3. Serve as the primary contact in all matters pertaining to the GRANT and the conduit for communication between itself, the CITY, and TDRA.
4. Require its project engineer to develop all schedules, plans and specifications, including any bid alternates or subsequent modifications, in consultation with and approval by CITY staff.
5. Require its project engineer to use the current City of Kerrville Standard Specifications for Subdivision Construction design criteria with a provision that design flows from the proposed Quail Valley lift station improvements not exceed 175 gallons per minute.
6. Provide pre-bid project design plans and specifications to the CITY staff for its review and approval prior to bid authorization by the COUNTY.
7. Enter into a contract with a qualified contractor to construct GRANT improvements in accordance with the CITY-approved plans and specifications.
8. Gain CITY staff approval of change orders prior to their submittal to TDRA for review or approval.
9. Maintain at its sole discretion the right to award construction contracts or approve change orders that would result in its obligation to pay for costs that exceed available GRANT funds so long as any contract or change order meets the current City of Kerrville Standard Specifications for Subdivision Construction design criteria through the process described in 14 - 6, 8 (supra).
10. Ensure that the CITY shall not be responsible for any costs with respect to the GRANT, this Agreement, or the project.
11. Require construction contractor(s) to comply with CITY requirements regarding the CITY's inspection and oversight.
12. Transfer all GRANT improvements to the CITY upon approval of the Certificate of Construction Completion and Final Acceptance as issued by the CITY. In order to effectuate

the transfer, the COUNTY shall prepare and send to the CITY a bill-of-sale or comparable instrument, to legally convey and transfer such improvements to the CITY.

13. Pay \$25,000 of either in-kind services or cash in matching funds as required by the GRANT.
14. In the event that the COUNTY is awarded the GRANT and proceeds with construction of the project, the COUNTY, subject to available GRANT funding, shall complete, at a minimum, the CITY'S required upgrades to the public sewer along Sand Bend Drive and the Quail Valley lift station. In the event that available GRANT funding is insufficient to complete the scope of this AGREEMENT, COUNTY agrees to make good-faith effort to apply for future GRANT funding so as to complete the scope of this AGREEMENT.

The CITY shall:

1. Provide reasonable assistance to COUNTY requests for information required to fulfill the COUNTY'S obligations under the GRANT.
2. Provide public sewer services to all beneficiaries of this project at its officially adopted utility rates, which CITY, in its sole discretion, may change at any time with or without notice to COUNTY.
3. Accept ownership and responsibility for maintenance and operation of all GRANT improvements upon transfer by the COUNTY at the time the Certificate of Construction Completion is approved and upon Final Acceptance as issued by the CITY.
4. Not be responsible for any costs, deficiencies in funding, or cost overruns resulting from the project, other than staff time for review and City inspections.

The parties further agree that any GRANT funds provided by the COUNTY are without warranty of any kind to the CITY or any third party. Nothing herein shall be construed to create any rights in third parties.

KERR COUNTY, TEXAS

Janett Pieper
County Judge

23 May 2011

DATE

ATTEST:

Janett Pieper
By David G. Wampler, Deputy
Janett Pieper
County Clerk



CITY OF KERRVILLE

David Wampler
David Wampler
Mayor

May 24, 2011

DATE

Attest:

Brenda J. Craig
Brenda Craig
City Secretary

Contract 2011-25

Contract 2011-25

Agenda Item:

6A Report on the Kerrville Triathlon. (staff)

**TO BE CONSIDERED BY THE CITY COUNCIL
CITY OF KERRVILLE, TEXAS**

SUBJECT: Kerrville Triathlon Post Event Report

FOR AGENDA OF: October 14, 2014 **DATE SUBMITTED:** October 7, 2014

SUBMITTED BY: Ashlea Boyle *ab* **CLEARANCES:** Todd Parton
Special Projects Manager City Manager

EXHIBITS: Post Event Report

AGENDA MAILED TO:

APPROVED FOR SUBMITTAL BY CITY MANAGER: *JP*

Expenditure Required:	Current Balance in Account:	Amount Budgeted:	Account Number:
\$ 0	\$ 0	\$ 0	

PAYMENT TO BE MADE TO:

REVIEWED BY THE FINANCE DEPARTMENT:

SUMMARY STATEMENT

The fourth annual Kerrville Triathlon Festival, by High Five Events in Austin, was held September 26-28, 2014. This multi-day event consisted of several different triathlon events including a sprint distance, half ironman, quarter ironman, a free kid's fun run, and an aqua bike (new this year). The event also featured a two-day sports exposition and multi-loop run course with a downtown run and finish.

This successful event had 764 participants in 2011, 1,307 in 2012, 1,254 in 2013 and just over 1,300 at this year's event. The maximum capacity is 1,500 participants. Attached is the post event report for the 2014 Kerrville Triathlon Festival.

RECOMMENDED ACTION

This report is for informational purposes only. No action required.



Post Event Report 2014

The 4th Annual Kerrville Triathlon Festival was held September 27-28, 2014 and was the 6th and final event in the Texas Tri Series. This professionally organized event produced by High Five Events out of Austin, came to Kerrville in 2011 and brings a long course triathlon to the Texas Hill Country. High Five Events, along with Jack & Adam's Bicycles and the City of Kerrville aligned to set up the Kerrville Triathlon Festival, a multi-day event that consists of three races in two days along with a 2-day sports exposition, featuring a downtown finish and a free Kid's Fun Run.

The event offered three different triathlon options: a sprint, quarter ironman, and a half ironman. Options for relays were also offered for the half and sprint distances, and in 2014 a new event called Aquabike (Swim and Bike) was offered in quarter and half distances. The registration fee was \$225 for the half (\$250 for a three person relay), \$140 for the quarter, and \$90 for the sprint (\$140 for a three person relay). Each event participant received a moisture wicking tech tee, reusable event bag, personalized bib number (if registered at least three weeks in advance), full color event magazine with tri tips, professional timing, plus finishers received a finisher medal, finisher moisture wicking tech tee, and a souvenir bike bottle.

Awards were given to the top three overall male and female participants, and overall masters male and female participant. Awards were also presented to the top three male and female participants in each age group, starting at 24 and Under and going to 75+ in five year increments.

The swim start and finish, as well as Transition Area # 1 (location where bikes are parked during the swim), were located on the grounds of the former Family Sports Center site on SH 27, just north of Guadalupe Street. Transition Area # 2 (location where the bikes are parked during the run), was located on the field of Notre Dame Church, at the intersection of Water Street and Tivy Street. The Finish Line was located in the former Bank of America Parking Lot downtown, adjacent to *The Star* at the intersection of Water Street and Earl Garrett Street. Shuttle busses transported participants and spectators between the start and finish areas. A finish line party for participants and spectators took place each day with free food and drinks to participants and volunteers.

The event concluded Sunday night with a Volunteer Appreciation Party at Mamacita's restaurant.

High Five Events worked closely with the City of Kerrville, Kerr County and TxDOT throughout the planning process of this event. The run route was different this year due to major construction projects. In the future, the route will incorporate Louise Hays Park and River Trail with the completion of the park improvements and River Trail projects. The Kerrville Police Department and Kerr County Sheriff's Department patrolled all affected traffic rights of way. Various lane closures and alterations took place during this event.

Schedule of Events

- Expo – Friday, September 26th and Saturday, September 27th at the Inn of the Hills Hotel and Conference Center.
- Sprint Triathlon & Kids Fun Run – Saturday, September 27th, 7:30 a.m. – 11:30 a.m.
- Quarter & Half Distance Triathlon – Sunday, September 28th, 7:30 a.m. – 4:30 p.m.

Triathlon Distances

- Sprint – 500 meter swim, 15 mile bike, 3.1 mile run
- Quarter – 1,000 meter swim, 29 mile bike, 6.4 mile run
- Half – 1.2 mile swim, 56 mile bike, 13.1 mile run

Event Data

- 1,294 triathletes participated;
- Approximately 100 children participated in the Kids Fun Run;
- Over 350 volunteers helped produce the event;
- Health Expo had 14 vendors (occupying 26 booths);

- 2 ambulance transfers (1 was a minor injury due to a fall from the bike. The second was for heat exhaustion that occurred approximately 30 minutes after a participant had finished. Both participants were released from Peterson RMC the same day);
- 14 states represented at the triathlon;
- According to the USA Triathlon Association, triathlete data indicates:
 - Average adult age: 38
 - Average income: \$126,000
 - 49% reported white-collar jobs
 - 19% reported professional jobs such as doctor, lawyer or accountant
 - 12% are students or education workers
 - Spending habits:
 - \$2,274 on bikes in past 12 months
 - \$564 race fees in past 12 months
 - \$524 bike equipment
 - \$370 training, running and athletic footwear
 - \$277 nutritional supplements

Planning for 2015

- The 2015 event will be held September 25 – 27;
- Host hotel is Inn of the Hills;
- Registration begins on November 1, 2014;
- Course Changes:
 - Transition Area #2 and the Finish Line will move to Louise Hays Park
 - The Bike Course will pass through downtown on Water St. instead of Main St.
 - The Run Course will move to be solely on the new River Trail.
- Continued planning meetings to be held with downtown merchants, sponsors, location hosts and staff from the City, County and TXDot.
- High Five Events has submitted a bid to host the USA Triathlon Age Group Long Course National Championships at the Kerrville Triathlon. USA Triathlon will decide in November if the Kerrville Triathlon is selected.